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History of Hopkins County, KY

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HISTORY OF HOPKINS COUNTY, KY.

BY MAURICE GORDON

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Foreword

Major M. K. Gordon, Madisonville, Kentucky; wrote the History of Hopkins County in 1933, At that time it was published serially in the Madisonville Messenger.

In 1950, Mrs. Carl Polley, Regent of the Captain Stephen Ashby Chapter, Daughters of the American Revolution, asked Mrs. Karr Ramsey, Mrs. Mary Louisa Marye, Mrs. Dan Suthards, and Mrs. J. Whit Haywood to help her in typing and indexing the History and putting it in Book form.

Clippings from the Madisonville Messenger were obtained from Mr. Frank Leeper, who had preserved them since 1933. They were yellow and brittle, in some places the print had faded and crumbled, making it difficult to decipher.

Copies were placed at Constitution Hall, Washington, D. C. National Headquarters of the Daughters of the American Revolution, Duncan Tavern, Paris, Kentucky; State Headquarters of the DAR, The State Historical Society at Frankfort, Kentucky; and at the Madisonville Public Library.

In 1954, Mrs. Mary Louisa Marye, on the staff of the Hopkins County Times, asked Mrs. Lovan, Librarian of the Madisonville Public Library, if she might have the history to publish serially in the paper and that she would then type another copy for the Library. Mr. Robert Towe, Editor of the Hopkins County Times, obtained Mr. Gordon's permission to publish the History in the paper.

In March of 1954, the History was started serially in the paper. At this writing, it is still being published. After the four copies have been completed, Mrs. Marye Will allow her book to be photostated for the University of Kentucky and the University of Louisville.

Captain Stephen Ashby Chapter
Daughters of the American Revolution
Madisonville, Kentucky.

HISTORY OF HOPKINS COUNTY, KY.

An accurate recording of important names and dates associated with the founding and development of Hopkins County, Kentucky.

By Major M. K. Gordon.

Chapter 1-

In western Kentucky between Ponk River and Tradewater, spread the rolling acres of the 555 square miles forming the county of Hopkins. The region slopes to the valleys of each of these rivers, from the slight elevation running nearly north through Madisonville, where it has an elevation of 470 feet above the sea.

The streams running through silted up gorges forming flat valleys, are slow flowing and carry much sediment for the enrichment of the valleys below.

Except for the small drainage area of Deer Creek, which flows to Green river, the tributaries of Pond River, Elk, MacFarland's Fork, Drake's Creek, Flat Creek, Bratton's Creek and Otter Creek and their branches, drain toward the east.....Tradewater and its tributaries, Caney Fork and its streams Buffalo Creek, Caney Creek, Clear Creek and its, streams Lick Creek, Weir's Creek, Rose Creek, and Poage's or Greasy Creek, as it is sometimes called, and the smaller runs, carry the waters to the west.

Erosion in past ages has stripped from the surface in some parts, hundreds of feet of stone once deposited, leaving hills here and there.

The Peaks of Otter, west of Mortons Gap, hold the highest elevation

of 750 feet, while heights of 600 feet remain in Shakerag, the northwestern section of the county. The lowest parts are on the river, 360 feet, where Pond river enters Green river, and 346 feet where Tradewater leaves the county on its tortuous way to the Ohio. Finding their way through the varied surface of the land, the sluggish branches and creeks, have filled the fertile valleys with alluvium, and built land equal to the world's best.

Vast and inexhaustible wealth of potash and phosphorous salts lie in the subsoil, untouched, holding promise of perpetual fertility. Geologically, the region is in the southern end of the western coal basin. When these coal measures were being laid down by a beautiful Creator, the land subsided beneath the seas in more than a score of ages, and each time was raised to take and hold the deposit of mineral which was metamorphosed to coal.

So that the structure of the rocks may be linked to that of a vast layer cake, whereof coal is the filler intervening, between the successive layers of limestone, sandstone, and shale. Each are from a few feet to a hundred in thickness, so that the whole coal measures, resting upon the Mississippian rock, was a full half mile in depth, containing in twenty or more separate layers, a total of sixty feet or more.

In the repeated subsidences and movements of the stratification in geologic time, the continuity of the rocks and coals have been cracked and broken many times, tilted, thus forming geological "faults."

These faults or cracks, run chiefly in the direction from northeast to southwest, and are accompanied by displacements changing the levels of the coals on either side, from one to two hundred and fifty feet,

thus causing various of coals to come to the surface or "crop out."

They extend down to the great deposit of petroleum in the Mississippi rocks, because of this, the oil rising on the water through these cracks, has soaked into the porous sands on its way upward, and has to a great extent, become dissipated and lost, except in so far as the rock walls have imprisoned pools at the foot of long inclines. At these places, the oil has risen upon the subterranean waters, to the highest points of the incline, where it has been tapped at depths of over 3000 feet, in the Oak Hill and Suthards neighborhoods.

In less depths, very limited secondary pools, which have been formed by oil rising through the earth cracks or faults, have been found and worked near Oak Hill, and it is not unusual to encounter traces of oil in drilled wells in any part of the county, or even in the coal mines in the neighborhood of the faults. On Gray's Branch, a tributary of MacFarland's Fork, oil sands crop out, bringing oil to the surface.

Large quantities of natural gas, a product and concomitant of the oil deposits, have been developed commercially in the Suthards and Kirkwood Springs neighborhood.

Since the close of the Carboniferous age, this region has been dry land, slowly subsiding, and more rapidly, been worn down by frost and rains, as a result, from the southern portion of the county, and to a lesser extent, from the central parts of the county, it would seem

the upper rocks and coals have been washed away long ago, and passed on to fill the ancient gulf which is now the Mississippi valley. The upper coals are left in place only in the northern parts, or in small areas, as near Daniel Boone, where down faulting has so lowered the strata, that some of the upper coals have been passed over by the floods.

In the wearing down of the rocks in countless ages past, deep gorges were dug by the overflowing creeks and streams, and in turn, by the slow subsidence of the land and consequent decrease of the grade of outfall has been silted up into fertile valleys of alluvia soil.

The rocks remaining on the surface, in their decomposition by frost and water, have clothed the whole surface with soil, so that outcrops of stone are uncommon. The general composition of this soil is such, that when exposed, it readily and spontaneously so to speak, clothes itself with verdure.

At the close of geologic time, the progress of erosion was gradually checked by climatic changes, leaving a vast rolling prairie covered with grasses, pea vines, and the wild strawberry and other herbage with out trees.

Into this land, one, two, or three thousand years ago, came the Mound Builders, that race without a history. Who and what they were, whence they came, how long they occupied, and how and whither they went, are debat able and insoluble questions, about which learned Ethnologists always deffer. We may surmise that a private tribe of these people held Kentucky, as the higher developpment of their civilization appears in Ohio, Illinois, and the upper Mississippi valley. Only their forts, mounds, graves, ornaments, tools and weapons remain to tell us that they were industrious, religious and warlike. Their great earthworks,

raised apparently by manual labor iwth stone and wooden tools only, and without draft animals, vehicles or machinery, show them educated in cooperation and strongly governed.

Their polished axes, cleats, and tools of hard stone are scattered all over Hopkins county, along with rougher flints, which may have been theirs or the weapons of the Indians who succeeded them. The local center of the Mound Builders was Fort Ridge, standing high above Clear Creek with an elevation of over six hundred feet, here they built a rough stone fort encircling the edge of the steep hill, and enclosing burial and temple mounds.

This location was chosen an commanding a long line of communications, for in that treeless time, smoke and fire on Fort Ridge must have been visible for 25 or 30 miles in every direction, except due north and south. Signal communication with Health Mountain in Crittenden County, Coolers Knob in Caldwell County, and the hill lands of Muhlenberg, McLean and Daviess Counties was possible.

They possessed no metal, and so far as known, no letters. The only traces of their art and skill are found in their stone tools and weapons, in their pottery, and ornaments wrought from seashells. The material of these weapons and ornaments is foreign to this regions.

In the mounds remain a few graves of stone slabs, containg the crouched skeletons of the dead, which at one fall to dust when touched and mingle with their possessions which are buried with them.

The Mound Builders lived, worshipped, worked and passed on. Whether there end came by pestilence, famine or war, or by all of these calamities, can never be known.

Their area of occupation was surrounded in historical times by Indian tribes of Iroquoian, Algonquian, and Muskogean stock. They never settled there, but regarded Kentucky as a common hunting ground, to be visited by all, but claimed by none. A haunted land where tradition said the ancient vile and treacherous race who built the mounds, have been massacred and exterminated by incoming tribes, and their ghosts haunted the land of Ken-tuck-ee, which means, "River of Blood."

Chapter -2-

When Columbus discovered America, trees had begun to grow in Hopkins County, probable due to increase in rainfall. In the next three hundred years, the terrain, except for a small part on Drake's Creek, afterwards known as Little Prairie, gradually became covered with thick crests of oaks of the various species, immense tulip poplars, hickories, sweet gum, walnut and maple. There was also Ash, linken, sycamore, black gum, dogwood, redbud, crab apple, service berry, osage orange (bois d'arc) persimmon, beech, sassafras and iron-wood. This new vegetation came from the wind, water and animal borne seeds from the Allegheny forests. The older flora still persisted in the more sparsely timbered parts, perhaps where prairie and forest fires started by primitive man in the effort to preserve the pasturage for the buffalo, had annually burned over the land.

At the coming of the white man, no tree above three hundred years of age stood in the count. These forests sheltered and fed herds of elk, deer and buffalo, the bear, wolf, fox, beaver and lesser animals. the streams protected by the forest were filled with fish, and there were birds without number. No spot in the world is better adapted for the support of animal life.

It was a paradise for the hardy hunter, who dared the ghosts and entered it, but no Indian had the hardihood to linger there. When the white man came, the Indian marveled at the temerity of the intrusion into haunted land. The Indians themselves were so far out of possession of it, and so divided in race, allegiance and alliance, that they gave but feeble resistance to the first white man in Kentucky, and that chiefly inspired by the French and British governments, who were rival claimants to the western empire. But for this, the Indians might have given up the forest of Kentucky without a struggle.

Their sporadic resistance was not effectual. In 1775, colonel Richard Henderson readily bought for his "Proprietors of the Transylvania Compan," at Sycamore Shoals on the Watauga river, a vast tract of land of more than 2,000,000 acres, including most of Kentucky. This was bought from the Cherokee Indians, which they did not own, as this was a no-mans land and to which they had not even the claim of occupancy.

The scattered settlers, led b George Rogers Clark, protested. Colonel Henderson and his Transylavania Company were deprived of their slender title by the Commonwealth of Virginia. (Act of November 8, 1778.) By way of recompense, on November 17, 1778; it was granted to

"Richard Henderson and his company, two hundred square miles or land on the Ohio river at the mouth of the Green river, a tract of land, now in Henderson County,"

KENTUCKY COUNTY

Virginia (1776) divided Fincastle county, erecting Kentucky county. It may be of interest to note in passing, the mutations whereby the main territory of Hopkins county has formed a part of thirteen counties. Rappahannock, Essex, Spottsylvania, Orange, Botetourt, Fincastle, Kentucky, Virginia, Lincoln, Logan, Christian, Augusta, and Henderson counties, each in turn being carved and topped from its predecessor, just as Webster county was later cut off of Hopkins, Henderson and Union counties.

Henderson county was erected by an act of the general assembly of Kentucky, approved December 21, 1798; taking that of Christian county, north of a line, "beginning on Tradewater, opposite the mouth of Montogomer's Fork, thence to the head of Drake's Creek, thence down Drake's Creek to Pond river." All uncertain lines as Drake's Creek has two distinct heads, at some distance from each other.

In 1800, Henderson county had a population of 1118 free persons and 390 slaves. These settlers were scattered over the territory now embraced in the counties of Union, Webster, Hopkins and Henderson counties.

The city of Henderson was then a small village, settled nine years before, and called from the color of the clay banks of the Ohio.

river, the "Red Banks."

This distinguished it from Rossborough, (afterwards called Owensboro), but then known as "Yellow Banks".

The settlers were chiefly Germans, the Sprinkles, Upps and others. They were grantees of Richard Henderson and his company, who came to make their home along the great river. Population had drifted in from other settlements to the east, and directly from Virginia itself.

Chapter 3-

The southern portion of Henderson county with other lands "bounded by the Green river and southeast coast from the head thereof to the Cumberland Mountains to the Carolina line, and with the said river to the Ohio, and with the Ohio to the said Green river, " had been reserved for soldiers of the Virginia Continental Line under Acts of General Convention of Virginia of 1777, 1779 and 1783, the Henderson grant however, being excepted. Land warrants were issued under these laws to soldiers, the quantities graduated according to the rank of the soldiers, and under these warrants the lands were to be located and surveyed, and latters patent granting the same, to be issued by the Commonwealth of Virginia.

A later act provided that the "good" lands only, in this territory, should be reserved by the surveyors under the direction of superintendents, appointed by Major General Peter Muhlenberg and a board designated by the Convention to act with him. The other lands to be subject to entry under latter acts. A great and confusing volume of land laws were passed by the Convention supplementing the former acts providing for headrights, settlement, and preemption entries, the rights of which expired by limitation in 1788, and preserving the duties of surveyors. In 1784, the price to be paid the Commonwealth for waste land on the western waters was fixed at thirteen shillings and four pence per one hundred acres.

Military grants in Henderson county were chiefly laid off in adjoining surveys of one thousand acre squares, with lines on the cardinal points in "connexions" on the high land or water sheds of the

various creeks, thus, the Clear creek "connixion" contains such surveys for John Fowler, (assignee of Arthur Lind, the soldier) William Fontaine, Gabriel Long, Irvin Mills, John McDaniel, Thomas Edmunds, John Ball, Robert Hall, William Parker, Robert Harvey Williams, Meredith James Buckner, Humphrey Woodson, John Clark, William Lindsay, George Gillson, Peter F. Archer, (lying just north of the line of the present Noel Avenue in Madisonville) John Jordan, Benjamin Mosely, James Scott and Francks Brook. On Drake Creek there were like grants to John F. Mercer, Earpley White, Jolt Richardson, and William Ledman. There were four such tracts for Brigadier General Daniel Morgan of the famous "Rifle Brigade" who rendered such distinguished service in the Revolution.

Larger tracts were granted to officers, Nathaniel Gist, a noted scout, and to Pressley Thornton, on both Clear creek and Drakes Creek, and to Thomas Gaskins, 3000 acres on Clear creek (six miles northwest of Madisonville) 1666 acres on Drakes Creek to Ensign John Trabue, and 3000 acres to Dr. Mace Clements, surgeon; 6000 acres to John Harvey on Flat Creek, and 2000 acres on Drakes creek to General Thomas Posey, apocryphally alleged to be the (here the yellowed clippings had so disintegrated it was impossible to read) of George Washington.

The Trabue and Clements tracts are at present (in part at least) in the hands of remote descendants or collaterals of the grantees, but none of the grantees ever really settled their grants. The settlers were chiefly those who took up the waste and outlying lands upon land office warrants, or bought them from the military grantees.

The Ohio was the chief highway into the country, and flatboats or broadhorns, and rafts were the means of navigation.

All who had money to invest, all who were financially able to regard the comfort or convenience of their families acquired lands from Richard Henderson and Company, or others, and as close to the river as they could, leaving the hinterland chiefly to the more daring and adventurous, the restless, and to desperately poor immigrants, to fugitives from debt, victims of suretyship; the unsettled conditions and stringencies resulting from war, and the uncertainties of the land tenures, and to a small class of fugitives from justice,

Few were men of means, most were men of fair learning of the three R's, and were of mature years. Most of them brought their wives and children to make a new homes for them on the western waters.

Virginia was colonized from rural England by political exiles, and by paupers sold into service. Tobacco culture was the cause of the growth and prosperity of Virginia, slave holding and shiftless cultivation and the wearing out of its lands by tobacco culture, the cause of the decline of Virginia. Unsettled war conditions caused the returning soldiers and the impoverished farmers to seek fresh lands for the growing of tobacco on the western waters, to be shipped by way of the Ohio, the Mississippi, to the port of New Orleans and from there to the European market.

We shall see how tobacco and its economy has marked and served them and their descendants for the next century. Land hunger, economic pressure and desperation drove these people, unconquerable hope and the glory of adventure, these things led them into the wilderness of Kentucky.

In the southern part of Henderson county was seated Solomon Silkwood, formerly of "Bear Garden" Hampshire county, Virginia;

who dwelt near the perennial Browning Springs on the north half of the John Fowler survey, now in the city of Madisonville. Daniel McGary lived near the old public spring on Franklin Street. Major Hugh McGary, who rashly brought on the Battle of Blue Licks, who was accused of every crime--the murder of British prisoners of war, the theft of 19 guineas, two half eagles, 30 dollars in silver, and 800 dollars in bank notes from Samuel Baker, a guest of McGary's Tavern in Henderson, of taking part in a mob to release a prisoner, the first person to be convicted in Henderson of selling liquor without a license, (1803) was a short sojourner, and passed on to become one of the founders of Evansville and later, angered by being charged with the theft of a saddle, to the farther west.

Robert McGary, (at whose home on the Greenville road, one mile east of Madisonville court house, the county was later organized) Captain William R. McGary and Taliaferro McGary, were men of higher type and standing, from whom descended the present McGary's of Hopkins County, they emigrated from the Harrodsburg settlement and Mercer County. Bounds Ashby and Paran Cardwell, the Gordon brothers, John and William, also came from the Harrodsburg settlement and Mercer County.

John and William Gordon, whose father, Captain John Gordon died in the Battle of Blue Licks, August 19, 1782; came from their preemption, "Pleasant Fields" on Shawnee Run to Mercer county with their Mother and step-father, Joseph Davis, and their half-brothers, Benjamin and Thomas G. Davis. John Gordon was a skilled surveyor and a deputy under his brother-in-law, Edmund Talbott surveyor of Henderson county, and practiced his profession and farmed on Sugar Creek.

The first wave of settlement brought also Samuel Woodson,

the first clerk of the county and circuit courts, William Russell Weir, Richard Davis and Colonel Stephen Ashby, three of the first justices of the peace, Daniel Ashby, the first State Senator from Henderson county, were men moderately well off, with personality and qualifications of leadership. A hundred more bearing familiar surnames in Hopkins county to this day will be mentioned more to the order of events.

There was no road from the country, save the buffalo traces from Russellville and Christian Court House (later called Elizabethtown and still after called Hopkinsville) to Highland Lick and the Red Banks, with few or no bridges over the streams it crossed. This trace in general direction followed the route of U. S. highway 41. The salt and sulphur springs of Steuben's Lick, (now called Manitou) drew the buffalo to stop there and altered the course of the trace.

The Lick took its name from the great Prussian soldier Friedrich Wilhelm August Henrick Ferdinand, Baron von Steuben, (1730-1794) who came to America in 1777, as a volunteer to aid the cause of the Revolution in its darkest hour and so drilled and instructed Washington's ragged army at Valley Forge, rallied Lee's fleeing men at Monmouth, and witnessed the surrender of Lord Cornwallis at Yorktown. He was the first Inspector General of the Army, and the discipline and tactics he taught, helped turn the tide for the cause.

Tradition has it that the Baron contemplated accepting grants of military land on these waters, and in 1787 visited the Lick which for long after bore his name, and there, in a skirmish with Indians was slightly wounded. Whether the inhospitality of the redskins or the unpromising appearance of the land, or the questionable title, dissuaded the doughty Baron from further claim we know not, but at

any rate, he never returned. He died at Steubenville, N. Y. and by his will leaving his estate to certain of his American comrades in arms, and directing that he should be secretly interred so that his grave would not be known. Years later, to remove his claim, the grantees of his devises surrendered such titles he may have had by instruments of record in the Hopkins county court clerk's office. (Deed Book 20, pages 109-10) as follows;

"Know all men by these presents: That, whereas, P. William, Baron Steuben, was the owner in his lifetime of five tracts of land containing one thousand acres each held by patents from the Governor of Kentucky, dated November 11, 1795, three of which tracts are in the county of Muhlenberg and two in the county of Hopkins, the boundaries and particular location fully appearing in said patents, and died devising said lands to Benjamin Walker and William North; and afterwards William North and wife conveyed their interest to Benjamin Walker, who died devising all of his real estate to Morris S. Miller, Nathan Williams and Abraham Varick, and the survivor, in trust for certain purposes. Whereas, said Trustees having all died leaving Abraham Varick the survivor, whose only heirs are Marie Antoinette Varick, Richard Varick and Julia Clinton Varick, and who, at the instance of those interested in said trust, hereby nominate, constitute and appoint Richard Pendell of the city of Lexington, Ky; our true and lawful attorney for us and in our name to sue for and recover the lands herein set forth and take all steps proper to accomplish this object. We also empower our said attorney to compromise and settle with the adverse claimants to said land and to sell and convey the same on such terms and to such persons as he may deem proper, and we hereby ratify and confirm the actings, and doings of our said attorney in the premises as fully as could

be done were we present in person.

IN TESTIMONY WHEREOF: we have hereunto set our hands and seals this 20th day of November, 1854. Marie Antoinette Varick, Richard Varick, Julia Clinton Varick. Signed, sealed and delivered in the presence of us, J. B. Nones, C. R. Van Rensselaer."

This was followed immediately by a deed as follows:

WHEREAS: the act of Congress on the 31st of August, 1852, entitled an act making further provisions for the satisfaction of Virginia Military Land Warrants, provided that all Virginia military services in the Revolutionary war may be surrendered and land scrip issued therefor, and, Whereas, the whole of the within described tracts of land are included in the location of ~~tan~~ older valid entries, and have thereby been lost:

Now, in consideration of the premises and the requirements of the proper Department of the Government of the United States having the execution of said law, we, the undersigned devisees of Baron Steuben by Richard Pindell, our Attorney in fact, hereby relinquish, surrender, assign and transfer to the United States and to the State of Virginia, all our right, title and interest and claims, of, in, and to the land described in two patents issued by the Governor of Kentucky to Major General Baron von Steuben upon the 11th day of November, 1795; upon part of Military Warrant No. 104, and upon two surveys of 100 acres each, made on the 8th of January, 1787, on the waters of Tradewater in the county of Hopkins and State of Kentucky.

In Testimony whereof, we have set our hands and seals this 27th day of August, 1855, M. R. Varick, R. Varick, J. C. Varick,

Whether coming by land from Virginia and the Carolinas by Wilderness Road, or from the inland settlements of Central Kentucky, or from Virginia by river to the Red Banks, the journey was an arduous one of many weeks, even months.

If by land, it was made on foot and Horseback, as the way was hardly practicable for ox-carts or wagons. Hence, little or no furniture or household goods could be brought through, even if the travelers had been fortunate enough to possess any.

The women rode or walked, the men hunted and made camp, and the boys and negro slaves, if any, and the bench-legged feist drove the few cows, sheep and hogs. Only a small amount of food needed to be carried. Its provision was the easiest of the tasks, as game abounded and the long pea-rifle was deadly in the hands of these hunters. Little clothing was brought, and that of the roughest and simplest, because most of the people were poor in the world's goods, though rich in hope and spirit.

The garments of all were of homespun cloth and linsey-woolsey, or well tanned skins. The typical garment of the male was the fringed hunting shirt tunic of leather, with galligaskins of the same and moccasins of Indian pattern.

The cradle, the spinning wheel, a few simple tools, pots, kettles, a little tableware, a little powder and lead, some precious salt, the seeds to be planted in the new land, plough points, axes and hoes and poultry made up their burdens on their journeys to the lands on the western waters. One thing else must be mentioned-every settler who possessed a Bible, a Book, or books of any kind brought it with him. Among the books was Noah Webster's "A Grammatical Institute of English Language," (Hartford, 1783-85) in three parts, the first part of which, as

the "Blue Book Speller", is well remembered now by all who have passed middle age.

John Gordon brought "The Seaman's Daily Assistant New Modeled, " with tables of Latitude and Departure, by Thomas Haselden, (Glasgow, 1788). He later "bought from Ward and Wilson" the book, "A Geographical Dictionary of the United States of North America, " by Joseph Scott, (Philadelphia, 1805) and from Thomas Carlisle, who bought from John Handy, the "New American Clerk's Magazine and Complete Practical Conveyancer, " by "A Gentleman of the Bar", Hagerstown, 1806. Henry Ligon brought with him, "Commentaires sur Les Loix Angloises de M. Blackstone", (Brussels, 1773.)

Upon his first entry, the skillful axeman first built his shelter, a brush arbor or open faced cabin, then started clearing the forest and planting corn. As soon as possible the neighbors assebled to assist him in building his cabin of logs.

The logs out in the clearing, oftenest in the rough, rarely hewn square, were built into typical cabins of one room, one door, sometimes a window. No glass there was, and a rough hewn shutter closed the opening. Hard beaten clay was the floor, poles thrust between the logs were the beds, boughs and leaves the mattresses, buffalo robes the "kivers." The surplus smoke from the fire on the floor used for bouth cooking and warmth, curled through a hole left in the roof of rived caken boards, pinned on the rough rafters with wooden pegs. The hinges were of wood or leather, the latches of wood and raw hide.

Occasionally the pride of wealth appeared in a lean-to, or

shed room or an attic floor with convenient trap door, or in the chinking and daubing of cracks between the logs, or a hearth and fire place with stick and mud chimney, or even in a palatial double cabin with open degtret separating the two rooms. Sometimes a separate cabin was built close by as a kitchen. These manifestations of riches and grandeur were chiefly of those few who possessed negro slaves, and of course for these, cabins were put up for slave quarters.

Kitchen stoves were unknown, and remained so for half of a century to come, cooking operations were performed on the open fire and hearth with the cooks curse--the skittlet--a crane, pot hooks and the turn spit. Later, as time allowed and prosperity came, the built-in-baking even at the side of the fire developed in the home of the more progressive.

The fire was also the chief means of lighting the home. The expense of whale oil was out of question, coal oil no invented and the settler was left to the expedient of the rush light or tallow dip, or to a string of rag floating in a dish full of grease, the later evolution of which was a container with a slot through which was projected the wick, the whole, elegantly and euphoniously referred to as the "slut."

The seats were splitt sections of logs, supported by legs inserted in augur holes bored in the convex side, tables were of similar puncheon construction, the puncheon floor came in due time.

The sawmill was unknown until James Aubudon, the great Ornithologist; and his father-in-law, Bakewell, started his steam mill on the river at the Red Banks. The saw pit was in limited use after the first settlement. It was an arrangement whereby logs,

placed horizontally, were sawed into planks by two men with a long saw, one standing above the log and the other below the log.

The erection of Churches and Schools in the backwoods was slow. Brush arbors sheltered wandering Revivalists and local inspired Preachers in their ministrations of spiritual need.

The early comers chiefly held Methodist or Presbyterian doctrines which they earnestly debated. About the beginning of the century, the Reverend McGready, a Calvinist minister and a powerful preacher came. Methodist exhorters started and carried on a religious revival in the Green river country of great proportions and interest was aroused to such intense fervor in many people as has seldom been seen in any land. The effect was such that it passed mere moral and spiritual conviction and took the form of physical manifestations in the more emotional, but not necessarily ignorant persons--the speaking in unknown tongues, rolling of eyes, quaking, shaking, dancing, wallowing on the ground, hysterical screaming or shouting and dumb ague fits, in which the convert would seize a sapling and exhaust himself in violent struggles and contortions. There was left no question of the God-fearing sincerity and devotion of these people, and their convictions and beliefs remained firmly imbedded in the subconscious mind, as part of the nature of the descendants.

There were no public schools, nor were there even any public school laws for the first forty years of settlement. A wandering man of learning, generally too shiftless for manual labor, drifted in to teach school occasionally, but most children, perforce, got their letters and "figgerin" along with moral correction and in-

struction at their mother's knee.

Marriages were contracted at an early age, and housewives of fourteen were not scarce.

The women in their homespun wool, wove, cloth upon homemade looms, to clothe their family and for sale, they cooked, looked after children and worked in the tobacco.

The men cleared the heavy timber with axe and fire, planted the rich woods loam with tobacco, potatoes, corn and wheat.

With maul and glut they split rails and with zigzag stakes and rider fences enclosed their patches as fast as they could to keep out the deer and wandering cattle. Pasturage was not a problem and hay was not needed as the "critters" could run on the green cane all winter.

Their fuel was wood. There was no vision of the importance of stone coal. Water was a prime requisite and every settlement was made with reference to its proximity to a spring or a branch.

Soap was a domestic product of bear's grease and lye., bleached from ashes in the old ash hopper in the yard. Not much water or soap was used in personal ablutions. The lye was also used in removing the hard integument from the corn kernels in preparing hominy.

Before the water mills were established, the primitive method of the Indians in the grinding of grain was used, that of the stone mortar and pestle.

The pioneer became adept in the use of the axe, the adz, the saw, chisel and sugar; and in time, came to turn out sturdy furniture, and cabinet work of fair merit, pieces of which are still preserved religiously in many homes.

The mystery of the wheelwright was professed by some, and

fine spinning wheels were turned out by hand. Their wagon wheels were famously good, and the trade flourished for nearly a century.

Between times they filled the larder with venison, bear's meat, wild turkeys, ducks, and geese, brought down with their unerring rifles. Cane sugar and molasses was almost unknown as an expensive luxury coming from New Orleans with returns from tobacco, but wild honey and maple sugar was plentiful and good.

Whoever possessed a grove of sugar maple trees, established a camp, and there made and marketed maple sugar in season.

Coffee and tea were not to be had, but infusions of the seeds of the Kentucky coffee tree, (*gymnocladus canadensis*) roasted chicory root and the seed of the Linden, or as it was called, the Linn tree, were in use, usually with long sweetening of peach-and-honey or maple syrup poured from a gourd; sometimes the cake of maple sugar was suspended over the puncheon table by a rawhide thong, so that pieces of it could be bitten off for the whiskey or milder beverage.

"Hard Licker" was available both from the distills up the river, and from home manufacture, and was early recognized as a curse, and the control of the traffic whereof the law was exceedingly difficult.

The General Assembly (Acts 1820, page 827) in the preamble to its "Act to Amend an Act to regulate Taverns and restrain Tippling Houses," recites; "Whereas, Tippling Houses are institutions never contemplated by the law of the land, yet they are to be found to great plenty in every town, village and neighborhood throughout the State; in fact, the country is completely inundated with these engines of vice; their influence upon great,

portions of society is immense, industry is choked, purses drained, constitutions are destroyed, families are distressed, and the people demoralized, for remedy thereof, prohibitions, regulations, fines and penalties, are prohibited.

Without doubt, greatly to the distress of the advocates of personal liberty and beyond peradventure they then loudly deprecated the bad effect the law was expected to have upon law observance, the morals of the young and the cause of temperance, in which they felt a keen and sympathetic interest.

Virginia regulated the liquor traffic, and in Kentucky it was said by the Court of Appeals, "to be an evil which destroys the morals, the fortunes and the lives of many of our best citizens, one fruitful of pauperism and misery, and productive of eight-tenths of the crime of the country."

To quote from Judge Holt: "No one ever had the right to sell whiskey in this Commonwealth, gave the privilege. It has always been the creature of license- the individual profit of the few, must give way to the happiness and security of the many."

The diversions of rural life were found in social gatherings of a political nature, the masters of the militia, on the race fields at Christian Court House, the Red Banks and the more distant Russellville, at the house raisings, log rollings, house parties, dances and shooting matches where quarters of meat and turkey were the prizes, and rifle marksmanship of high order prevailed.

They found diversion in attending "Cote", in the baser pastimes of dog fights, and the cockpit. There exists an account of a visitor to a dance at a pioneer home, after recounting the delectables of food, stimulation company and drink, continues: "The weather being cold and inclement, the dance continued all the next day and the following night. "

Aggravated by liquor, personal combat was frequent, and on Court days, it was the unwritten law and custom, not to interfere with the combatants further than to remove them to the stray-pen behind the Court House, where they could fight to their heart's content, to the intense delight of the crowd.

No weapons were allowed, but kicking, gouging of eyes and biting were permissible. Many "hoss trades" were settled in this way. Fighting among gamblers however, was viewed in a different light, and to be punished severely, (2 Littlell's Laws, page 558.) From this environment, A Kentuckian removed to Illinois,

where he became Sheriff. A disturbance arose at the door of the court room, and the Judge directed the Sheriff to stop it. After opening the door and looking out a few seconds, the Sheriff tiptoes back to his seat. The row continuing, and with increased violence, the Judge spoke harshly to the Sheriff, who arose and whispered, "Judge, when I got thar, the lie had done passed."

This incident reflects the general attitude of the pioneer, who never allowed honor or veracity to be impugned, or expected any other man to do otherwise than to resent by force such an imputation.

In such conditions, and in such social conditions, disorder and disregard of law was naturally to be expected, and that there was no mere crime, is an indication of the sterling character of these people, who under conditions dismaying to all but the hardiest adventurer, might naturally lose entirely the veneer of civilization and lapse altogether into savagery; but such was the inherent character of this stock, and its instinct and training, that hardship and poverty could not break down its ideals of morality, justice and decency.

BIG AND LITTLE HARPE

Outlaws there were, such as Murrell, Mays, Mason, the Cave-in-Rock, the original racketeers, and Big and Little Harpe whose dreadful violences and outrages before the dawn of the century, alarmed and exasperated Kentuckians from Lincoln county, Logan, Muhlenberg, Christian, Webster, Hopkins and Henderson counties.

Of all the tales of the Harpe's, which for a century was the favorite thriller of every fireside, no better account can be given than that of the Historian, Collins. (History of Kentucky, Ed. 1882, Page 345.)

About twenty miles from the town of Henderson, at a point just within the line of Webster county, formerly a part of Hopkins, where the roads from Henderson, Morganfield, and Madisonville intersect, there is a wild and lonely spot called "Harpe's Head." The place derived its name from a tragical circumstance, which occurred there near the end of the last century.

"In the fall of the year 1798, a company consisting of two men and three women arrived in Lincoln county, and encamped about a mile from the present town of Stanford. The appearance of the individuals composing this party was wild and rude in the extreme. The one who seemed to be the leader of the band was above the ordinary stature of men. His frame was bony and muscular, his breast broad, his limbs gigantic. His clothing was uncouth and shabby, his exterior weatherbeaten and dirty, indicating continual exposure to the elements and designating him as one who dwelt far from the habitations of man, and mingled not in the courtesies of civilized life. His countenance was bold and ferocious, and exceedingly repulsive, from its strongly marked expression of villianly. His face, which was larger than ordinary, exhibited the lines of ungovernable passion, and the complexion announced that the ordinary feelings of the human breast were in him extinguished. Instead of the healthy hue which indicates the social emotions, there was an unnatural livid redness, resembling that of a dried and lifeless skin. His eyes were fearless and steady, but it was also artful

and audacious, glaring upon the beholder with an unpleasant fixedness and brilliancy, like that of a ravenous animal gloating upon its prey. He wore no covering on his head, and the natural protection of thick coarse hair, of a fiery redness, uncombed and matted, gave evidence of long exposure to the rudest visitations of the sunbeam and tempest.

He was armed with a rifle, and a broad leathern belt, drawn closely around his waist supported a knife and tomahawk, he seemed, in short, an outlaw, sestitute of all the nebular sympathies of human nature, and prepared at all points for assault or defence. The other man was smaller in size than he who led the party, but similiarly attired and armed, having the same suspicious exterior, and a countenance equally fierce and sinister. The females were of course, sunburnt and similiarly wretchedly attired.

The men stated in answer to the enquiry of the inhabitants that their names were Harpe, and that they were emigrants from North Carolina. They remained at their encampment the greater part of two days and a night, spending the time in rioting, drunkenness and debauchery. When they left they took the road leading to Green River. The day succeeding their departure, a report reached the neighborhood that a young gentleman of wealth from Virginia, named Lankford, had been murdered and robbed on what was then called, and is still known as the "Wilderness Road" which runs through the Rockcastle Hills.

Suspicion immediately fixed upon the Harpes as the perpetrators, and Captain Ballenger, at the head of a few bold and resolute men, started in pursuit. They experienced great difficulty in following the trail, owing to a heavy fall of snow, which had obliterated most of the tracks, but finally came upon them while

encamped in a bottom on Green River, near the spot where the town of Liberty now stands. At first they made a show of resistance, but upon being informed that if they did not immediately surrender they would be shot down, they yielded themselves prisoners.

They were brought back to Stanford, and there examined. Among their effects were found some fine linen shirts, marked with the initials of Lankford. One had been pierced by a bullet and was stained with blood. They had also a considerable sum of money in gold. It was afterwards ascertained that this was the kind of money Lankford had with him. The evidence against them being conclusive, they were confined to the Stanford jail, but afterwards were sent to Danville for trial where the district court was in session. Here they broke jail and succeeded in making their escape.

They were next heard of in Adair county, near Columbia. In passing through that county they met a small boy, the son of Colonel Trabue, with a pillow case of meal or flour, an article they probably needed. This boy it is supposed, they robbed and murdered, as he was never afterwards heard of. Many years afterwards, human bones answering to the size of Colonel Trabue's son at the time of his disappearance, were found in a sink hole near the place where he was said to have been murdered.

The Harpes still shaped their course towards the mouth of the Green River, marking their course with murders and robberies of the most horrible and brutal character. This district through which they passed was at that time very sparsely settled and for this reason their outrages went unpunished. They seemed

inspired with the deadliest hatred against the human race, they were known to kill where there was not a temptation to rob. One of their victims was a little girl, found at some distance from her home, whose tenderness and helplessness would have been protection against any but incarnate fiends. The last dreadful act of barbarity which led to their punishment and expulsion from the country, exceeded the atrocity of all others.

Assuming the guise of Methodist preachers, they obtained lodgings one night at a solitary house on the road. Mr. Stigall the master of the house was absent. They found his wife and children, and a stranger who, like themselves, had stopped for the night. Here they conversed and made inquiries about the two noted Harpes who were represented as prowling about the country. When they retired to rest, they contrived to secure an axe, which they carried with them into their chamber. In the dead of night they crept softly downstairs and assassinated the whole family, together with the stranger, and they setting fire to the house, made their escape.

When Stigall returned, he found no wife to welcome, no home to receive him. Distracted with grief and rage, he turned his horse's head from the smoldering ruins and repaired to the home of Captain John Leeper. Leeper was one of the most powerful men of his day and fearless as powerful. Collecting four or five men of his day and well armed, they mounted and started in pursuit of vengeance. It was agreed that Leeper should attack "Big Harpe", leaving "Little Harpe" to be disposed of by Stigall. The others were to hold themselves in readiness to assist Leeper and Stigall as circumstances might require.

This party found the women belonging to the Harpes attending

to their little camp by the road side, the men having gone aside into the woods to shoot an unfortunate traveler, of the name of Smith who had fallen into their hands, and when the women had begged that he might not be dispatched before their eyes they had gone into the woods. It was this halt that enabled the pursuers to overtake them. The women immediately gave the alarm, and the men, mounting their horses which were large, fleet and powerful, fled in separate directions. Leeper singled out "Big Harpe", and being better mounted than his companions, soon left them behind. "Little Harpe" succeeded in escaping from Stigall and he, with the rest of his companions, turned and followed on the track of Leeper and "Big Harpe."

After chasing about nine miles, Leeper came within gun shot of the latter and fired. The ball, entering his thigh passed through it and penetrated his horse and both fell. Harpe's gun escaped from his hand and rolled some eight or ten feet down the bank. Reloading his rifle, Leeper ran up to where the wounded outlaw lay weltering in his blood, and found him with one thigh broken and the other crushed beneath his horse. Leeper rolled the horse away, and set Harpe in an easier position. The robber begged that he might not be killed. Leeper told him that he had nothing to fear from him, but that Stigall was coming up, and probably could not be restrained. Harpe appeared very frightened at hearing this and implored Leeper to protect him.

In a few moments Stigall appeared, and without uttering a word, raised his rifle and shot Harpe through the head. They then severed the head from the body and stuck it up on a pole where the road crosses the creek, from which the place was then named "Harpe's Head," and is yet called by that name. Thus perished one of the boldest and most noted freebooters that has ever appeared in

America. Save courage, he was without one redeeming quality, and his death freed the country from a terror which had long paralyzed its boldest spirits.

Chapter 6-

The "Little Harpe" when next heard from, was on the road which runs from New Orleans through the Choctaw grant to Tennessee. Whilst there, he became acquainted with and joined a band of outlaws led by the celebrated Mason. Mason and Harpe committed depredations upon the above mentioned road, and upon the Mississippi river. They continued this way of life for several years and accumulated great wealth. Finally Mason and his band became so notorious and troublesome that the Governor of Mississippi territory offered a reward of five hundred dollars for his head.

Harpe immediately determined to reward for himself. Finding Mason in a thicket counting his money, he shot him, cut off his head and carried it to the village of Washington, and then the capital of Mississippi. A man who had been robbed about a year before by Mason's band recognized Harpe, and upon this evidence he was arrested, arraigned, and tried, condemned and executed. Thus perished little Harpe. He, lacking the only good quality his brother possessed, courage, was if anything more brutal and ferocious.

Joseph R. Underwood, a former Judge of the Court of Appeals, wrote a statement of the details of every scene, "In October 1938, I called on John B. Ruby, a surveyor living in Hopkins County, Ky; to engage his services in surveying lands. On the way, I passed the farm on which John Leeper had lived and died, the man who was celebrated for capturing outlaw "Big

Harpe". Wishing to learn all I could of the matter, I inquired of Mr. Ruby how long he and Leeper had lived neighbors, whether they were intimate friends, and whether Leeper had frequently told him the particulars attending the capture and death of Harpe. My excitement and anxiety grew out of the following facts: When a small boy, my home was with a maternal uncle, Edmund Rogers, near Edmonton in Metcalfe county. When my uncle brought me from Virginia, I was informed that a little mill-boy, named Trabue, had been met on his mill path by the Harpes and murdered, and that a man named Dooley had been murdered by them a few miles above the residence of my uncle, and on the creek upon which his residence was situated.

These things make a deep impression on my young mind and heart. Not long after, I was put in school in Danville, Kentucky; and there was informed of the murder of Lankford on this side of Cumberland Gap, in what was then called the Wilderness, and of the arrest and imprisonment of the Harpes at Danville, of their breaking jail and of their flight through the Green River country, murdering as they went. I had previously heard of the murder of Stigall's family and the burning of the house over their heads.

Mr Ruby informed me that he had lived in the neighborhood for forth years, almost in sight of Leeper's residence, and that they were intimate friends, that Leeper was as honest as any man that ever lived, brave and truthful, and had often related to him and others, the particulars attending the capture and death of Big Harpe. After dinner we went to the residence of Mr. James Armstrong, and there I wrote, as Mr. Ruby dictated, the following facts as detailed to him by Leeper and other pioneers."

"There were two Harpes, bothers, one a large athletic man

named Micajah, and the other small and active, named Willy. They were scarcely ever called by any other name other than Big and Little Harpe. Big Harpe had two wives and Little Harpe but one. These women had children, but how many I did not learn. Their wives were detained with the children at Danville for some time after their husbands broke jail and fled.

When released, they moved and located about eight miles from the present site of Green river and Henderson, Ky; where is now Hopkins county, on their way to join their husbands. The country on the south side of Green river was wilderness, with but few settlers. (The word settler has a technical meaning, in consequence of the Legislatures of Virginia and Kentucky granting lands to those who settled and improved the wilderness.)

The Harpes rode good horses, were well dressed in broad-cloth coats, and armed with rifles and holsters of pistols. The wild, uninhabited condition of the country was their apology for such equipment. They stopped for dinner at the home of a settler named James Tompkins, who resided near Steuben's Lick, (Manitou) named after Baron Steuben of Revolutionary memory. Alfred Townes told me of a tradition among the early settlers that the old Baron had visited Kentucky soon after the close of the war, and had been wounded by the Indians at this Lick, hence the name.)

While resting themselves, and enjoying the hospitality of Mr. Tompkins, the Harpes passed themselves as Methodist preachers, and one of them said a long grace at the dinner table. The conversation related mostly to the general character of the country, and the quality of the game it furnished. One of them asked whether he hunted and killed many deer? Mr. Tompkins said he did when he had ammunition, but for some time past he had been without powder, that it was difficult to obtain a supply and consequently, abun-

dant as were the deer, he had not had any vension to eat.

Thereupon the Harpes resumed their journey toward the Ohio waters. The first cabin passed was that of Moses Stingall, then occupied by his wife and child, he being away from home. Stingall's settlement was five miles from that of Tompkins. The next settlement was Peter Ruby's, eleven miles from Stingall's. My informant, John B. Ruby, was at the house of Peter Ruby, and saw the Harpes as they passed. They were seen no more until after they had joined their wives and children.

There were only two families living between Peter Ruby and the residence of the Harpe women, near the site of Henderson. It may be that the Harpes passed around these two families so as to conceal themselves from observation. It is supposed they had determined to remove from Kentucky and locate somewhere in the South. It is certain, that on joining their wives, they lost no time in packing and leaving. They camped for the night, a few miles from the residence of Stigall, who owed one of the women a dollar. Stigall met the party in the flats of Deer creek, as he was going to the Robinson Lick, north of the Ohio, for salt. He told the woman to call on his wife, and tell her to pay the dollar. He said his wife did not know where he kept his money and accordingly sent proper directions. One or all of the wives of the Harpes went to the house of Stigall, and told his wife what her husband had said. S She found his purse, which contained about \$40.00 in silver out of which she paid the woman the dollar due her. The wives told their husbands how much money seemed to be in the pile poured out of the purse, and this led to the perpetration during the following night of one of the most horrible tragedies ever witnessed on earth.

Mrs. Stigall was a young woman with only one child. A man names Love was staying th at night at the house. The two Harpes left their camp and went to the house of Stigall, got the money, murdered his wife and child and Mr. Love, then set fire to the House and burned up the murdered bodies and all that was in it.

Two men by the names of Hudgens and Gilmore were returning from the Lick with their packs of salt and had camped for the night not far from Stigall's. About daylight the Harpes went to their camp and arrested them on pretense that they had committed robbery, murder and arson at the house of Stigall. They shot Gilmore, who died on the spot, Hudgens broke and ran, but was overtaken by the Harpes and put to death. These things were stated by the women after Big Harpes Death.

News of these murders spread through the scattered population with rapidity. Alarm and excitement pervaded every heart. The men assembled to consult and act. The conclusion was universal, that these crimes were the deeds of the Harpes, large rewards for their heads, dead or alive, were publicly offered.

The pioneers of the wilderness resolved to capture them. A company was formed, consisting of John Leeper, James Tompkins, Silas Magby, Neville Lindsay, Matthew Christy, Robert Robinson and the infuriated Moses Stigall, if there were any others Mr. Ruby had forgotten their names. These men armed with rifles, got on the trail of the Harpes and overtook them at their camp, upon the waters of the Pond river but whether in the present boundary of Hopkins or Muhlenberg county, I have not satisfactorily ascertained.

About a quarter of an mile from camp, the pursuing party saw Little Harpe and a man named Smith, who had been hunting horses on the range, conversing near a branch of water, (this word "range" was used by the early settlers of Kentucky to designate the natural pasturage of canebrake, wild peavines, and grass on which their live stock grazed.)

Little Harpe charges Smith with being a horse thief, and blew in his charger (a small implement with which the hunter measures his powder in loading his gun,) the shrill sound, their usual signal for danger soon brought Big Harpe to see what was the matter. The pursuing party and Big Harpe arrived at the branch in opposite directions, nearly at the same time. Big Harpe came mounted on a fine gray mare, the property of the murdered Love, which he had appropriated. The pursuers, not doubting the guilt of those whom they had overtaken, without warning fired upon them, badly wounding Smith, but not hitting either of the Harpes.

Big Harpe was in the act of shooting Smith as those in front among the pursuers fired. Harpe had already cocked his gun and told Smith he must die. But, surprised by the volley, and by the rushing up of persons, he reserved his fire, whirled Love's mare and galloped off to his camp. Little Harpe ran off on foot into a thicket, and was not seen afterward.

On reaching Smith, the pursuers were detained, listening to his explanation. He was at first regarded as an accomplice of the Harpe's but soon demonstrated his innocence, and his life was spared. The pursuers hastened toward the camp, and saw Big Harpe hastily saddling the horses and preparing to take the women with him. Seeing their rapid approach, he mounted Love's mare, armed with a fife and pistols and darted off,

leaving the women and children to provide for themselves.

They were made prisoners, and Magby, a large fat man, unfitted for the chase and one other were left to guard them.

Love's mare was large and strong, and carried the 200 pound weight of her rider Big Harpe with much ease, and he seemed to call on her to expend all her strength in his behalf. Tompkins, a rather small man, rode a thoroughbred full chested bay mare of the best Virginia stock and led the pursuit. He had chased thieves before, and an account he gives of one of the thieves chased is, "he would never again steal a horse." Nance, his mare, exhibited both speed and stamina in this race of life or death. The other horses were nothing like equal to Nance or Love's mare, and their riders being large men, Big Harpe might entertain hopes of escape.

In the first two or three miles he kept far ahead, no one trailing in sight except Tompkins. There was no difficulty in following through the rich mellow soil of the wilderness for the tracks made by the horses of Big Harpe and Tompkins left a trail easy to follow. Leeper was second in the chase, and the rest followed as rapidly as possible. As the race progressed, Big Harpe rode into a thick forest of large trees upon a creek bottom. As he approached the stream to cross he encountered a large poplar tree four or five feet in diameter and one hundred feet in length, which had blown down with its roots being perpendicular to the bank and its top extending back so as to make an angle between the creek and the tree of about forty degrees.

The bank was so high and perpendicular that it was impossible

to descend and across the creek with safety, and dangerous also to attempt jumping over the tree. He retraced his steps to the head of the tree, and there met Tompkins face to face with some thirty steps between them.

Each reined his foaming steed and stopped, neither attempted to flee or to fire. Tompkins told Harpe that escape was impossible and it would be best to surrender.

"Never", was the brief reply. At that moment Leeper came in sight. Harpe dashed off at full speed while Tompkins tarried for Leeper. As soon as he came up he said, "Why didn't you shoot?" To which Tompkins replied, "that his mare was so fiery, that he could not make a safe shot upon her, and he would not fire unless he was sure of execution."

Chapter 7

Leeper had fired upon the Harpes and Smith at the branch and finding that his ramrod could not be drawn in consequence of its having been wet, told Tompkins he could not reload, but his horse was fast failing and that Harpe would escape unless Nance could catch him. Tompkins replied, "She can run over him upon any part of the ground." Leeper said, "Let us exchange horses and give me your gun and shot pouch and I will bring him down, if I can overtake him." They dismounted, exchanged horses and arms and Leeper dashed forward after Big Harpe. The noble mare proved her ability to "run over him upon any part of the ground."

Leeper crossed the creek, and after passing through the thick tall trees in the bottoms, came in sight of the fleeing Harpe as he reached higher ground with its prairie grass and scattered trees. The gray mare was not the better horse for Nance gradually gained on her. When Leeper got within thirty yards, Harpe warned him "to stand off, or he would kill him." Leeper replied, "one of us has to die, and the hardes fend off."

As the woods became more open and interposed fewer obstacles and obstructions, Leeper thought he had a good chance. Suddenly putting Nance to her full speed, he rushed up within ten steps of Harpe, threw his leg over her mane and the bridle over Nance's head, jumped to the ground, took aim and fired. Harpe reined up, turned, presented his gun and it snapped--all without dismounting. Leeper afterwards said, "If Harpe's gun had not snapped, the ball would not have passed within twenty yards of me, so badly was it aimed. Harpe then threw his gun down, wheeled the gray mare and

pushed on his course. From these circumstances, Leeper knew he had hit him. He caught and remounted Nance, and soon overtook Harpe who told him to "keep off, or he would shoot him." In a few seconds, Harpe ceased to urge the gray mare forward, and put both his hands on the pommel of his saddle to hold on. Leeper rushed alongside and threw him to the ground.

Two balls had entered near his backbone, and come out near the breast bone. Harpe begged that he might be taken to justice and not be put to instant death. Leeper told him his request was useless, that his wound was fatal and he must soon die. Tompkins and the other pursuers came up one by one, and Stigall immediately presented his gun with a view to blowing his brains out, but Harpe kept bobbing his head backward and forward to prevent it. Stigall placed the muzzle against his body as he lay on the ground, and shot him through the heart.

Thus perished the most brutal monster of the human race. His head was cut off by Stigall. Whether the body was buried or left a prey for the wolves, I did not learn. The party intended to use the head in getting the large rewards which had been offered by the Governors of Kentucky and Tennessee, but the heat of summer rendered its preservation impracticable. A tall young tree growing on the side of the trail was selected, trimmed of its lateral branches clear to the top, and made sharp. On this point the head was fastened.

The skull and jaw-bone remained there for many years... after all else had been decomposed and mingled with the dust. The place where this tree grew is in Webster County, and is known upon the map of Kentucky as Harpe's Head," to this day.

Moses Stigall's character was very bad, he was afterwards killed for aiding Joshua Fleshart in running away with Miss Maddox. Reak Fletcher and a brother of the young woman followed the runaways, and overtook them in what is now the state of Illinois. They were found at night in a cabin which was cautiously and silently approached, and, at a given signal, Maddox and Fletcher fired upon Fleshart and Stigall through the chinks. Miss Maddox was sitting at the time of the shooting, in the lap of her lover, with an arm around his neck.

Thus the narrative made by Mr. Ruby is ended. But I deem it proper to add some facts which I learned from the late Major William Stewart of Logan County, who was one of the most extraordinary men I ever knew. Major Stewart told me that in the years of 1794-95, he was doing business for Joe Ballenger in Stanford, Ky; (when I was a boy I often heard this man spoken of and called Devil Joe Ballenger.) In one of these years Ballenger raided a party, captured the Harpes and committed them to jail in Stanford for the murder of Lankfort, in the wilderness between Crab Orchard and Cumberland Gap.

They were afterwards removed to Danville for safe keeping and there they broke jail and with their wives and children fled to a site few miles from Henderson. There they left the women and were one all summer until the latter part, this was in the year of 1799. Stewart confirmed the statement already made as to the murder of the Trabue youth and Mr. Dooley. They also murdered a man named Stump on Big Barren river below Bowling Green.

In 1799, after Big Harpe was killed and Little Harpe had fled the state, their wives and children were brought to Russellville, in Logan County. Here the women were tried as accomplices of

their husbands and acquitted. Stigall and a party of his intended to murder the women after their acquittal.

This evil design was detected, and its accomplishment prevented by the wise conduct of Judge Ormsby, and of Major Stewart, who was then Sheriff. The Judge ordered the Sheriff to put them in jail, as though it would never do to turn such evil characters loose upon society, but secretly told Stewart he might remove them after night to any place of safety.

Accordingly, Major Stewart put them in jail, but, soon after dark removed them and hid them in a wooded section. The next night he sent them about five miles from Russellville to a cave, where he kept them supplied with food. Stigall and his party remained in Logan county for some days after the trial of the women, hunting for them in every direction.

Major Stewart said each of the three women had a child, that Big Harpe's two wives were coarse women, and that Little Harpe's wife was a beautiful woman and had been well reared. The wife of Little Harpe, after he was hung in Mississippi, married a highly respectable man and reared a large family of children, all much esteemed for honesty, sobriety, and industry. I asked the Major for the name of the man she married, he could not be induced to divulge it, because a silly word might on some occasion reflect upon their children in consequence of her former connection with Little Harpe.

Major Stewart said the woman seemed grateful to him and related with apparent candor the story of their lives and their connection with the Harpes. They told him their husbands had once been put in jail at Knoxville, Tenn; upon suspicion of crime, when they were innocent, when released, they declared war

against all mankind, and determined to murder and rob until they were killed. They might have escaped after the murder and robbery at Stigall's, but for the detention at the branch.

Big Harpe, expecting to be pursued, proposed the three children be killed that they might flee without encumbrance. His two wives and brother consented, but the wife of Little Harpe took her child to the branch where she had seen a projecting shelf of rock under which she placed it, and laid down on the outer side, determined to remain and die with her child. As her husband came to the branch to let her know they had concluded to put the children to death, the man Smith, the horse hunter, approached. He moved towards him and sounded the shrill whistle on his charger the moment, made his appearance at the branch on Love's mare, when the firing commenced. Smith was shot down and the Harpe's fled.

Big Harpe did not go directly to the camp, but circled it, fearing the pursuers might already have taken it. These sudden and unexpected events saved the lives of the children by allowing no time for their execution. Little Harpe's wife and child hastily returned to camp when the firing took place a little distance below the shelving rock, and where made prisoners, with the wives and children of Big Harpe.

What I have written was communicated to me as coming directly from eye witnesses and participators in the transactions related. Big Harpe's death attracted a lot of attention and the place where he was killed became so noted that even the line of Union County when formed, was made to run by "Harpe's Head" in a direct straight line. Little can be added.

Susannah, wife of Uriah (or Micha) the Big Harpe, and Sally,

spouse of Willie, the Little Harpe, were apprehended at Red Banks on September 4, 1799, as accessories to the murder of Mrs. Stigall. They were the first to be incarcerated there in the new log jail. On examination they were committed for trial at Russellville.

Lankfort, victim of the Harpes, was a relative of the prominent family of Todds, of Hopkins county.

The oak upon which Stigall and Leeper posted the gruesome head of Big Harpe died in time and its stump was finally removed in August, 1926, and in the construction of U. S. Highway 41, a stone monument was placed 20 feet due west of the point, to mark the spot.

Moses Stigall's as the name is spelled in the public record, lived on Stigall's Branch of Main Deer Creek, in what is now Webster County. In 1800 he married Sally Vane.

John Leeper lived on Poplar Fork of Deer Creek and died in 1812, survived by his widow Nancy, his sons, James and Samuel, his daughters, Cassie and Rachel, and a stepson, Abednego Llewellyn. James married Sarah Ashby, (1813) and Samuel married Nancy Guyler, (1810) the rites in both instances being solemnized by John Bourland, a Baptist minister. Cassandra married John Harris, (1818) with Squire Daniel Ashby, officiating.

The inventory appraisement of John Leeper's estate made by his neighbors, John B. Ruby and Samuel Guyler, takes no account of the rifle which failed him in a critical moment as above mentioned.

A posse led by Captain Yound from Mercer County had driven out or killed the other desperadoes, and the removal of the Harpes assured the safety of the inhabitants in their pursuits.

Chapter 8-

As a rule, the settlers and their descendants followed the same imperfect and shiftless methods of agriculture that had worn out so early the lands of Virginia. This was due in part to general poverty, ignorance of the principles of farming and soil fertility, but, also due to the desire to avoid hard work. Man often works hardest to avoid hard work. When land was cheap, it was easier to clear the woods with fire and axe and use the three or four inches of leaf mould, and abandon the paths as worn out, than to plant cover and soiling crops, to plough deeply and bring up the fertile subsoil, aid drainage, prevent leaching and washing, and conserve soil water.

Their condition and disposition also made them excessively fond of discussion, debate and controversy, in which they did not fail to engage in season and out.

Elections always held prime interest. At first, the only voting place in Henderson county was at Red Banks, but it was an inducement in itself and every voter attended, without being sent for, and without any effort being made "to get the vote out." It was a big day. By act of the General Assembly, December 6, 1804, the county was divided into two election precincts, the southern precinct being that part of the county "South of Deer Creek and the Crab Orchard Fork of Tradewater," being the same two years later adopted as the line of separation of Hopkins county.

There were few taverns or houses of trade, but what there were, were centers of discussion where the social instinct was to be gratified, and where all the news, political or otherwise, was discussed and possible and occasional newspapers from the Falls to be exhibited.

Money was the scarcest of commodities. There were no banks west of Louisville, or the Falls of the Ohio. Only a small volume of coinage of

the United States was incirculation, some bank bills, and some Spanish coins. Change of Spanish dollars was often made with a cold chisel, the piece being divided in halves, fourths, and eights, or "bits", the intrinsic value of the silver being taken as par. This was called "cut money". It was recognized by law as receivable for state taxes. (4 Littell Laws, Page 45.)

At the first, values were reckoned in English pounds, shillings, pence or in tobacco. Officers' fees and fines were payable in tobacco at fixed rates. The rates fixed by the act of June 28, 1792, for each pound of tobacco was "one penny current money of Kentucky." (Littell Laws, Book 1, Page 155.) Personal notes and promises to pay, of well known individuals, passed from hand to hand in lieu of money, barter was the rule.

There were two physicians at the Red Banks, Dr. James Hamilton and Dr. Adam Rankin, but one in the southern part of Henderson county. Nor did those hardy and weather beaten pioneers seem to heed any ministrations, (save what could be given by Grannies') as all weaklings had been weeded out of the stock by protracted hardship, and the survivors strengthened by vigorous active life in the open and in a bracing temperate climate seemed very hale and healthy.

There were brief hard winters when the temperature fell to ten below zero, but the forests relieved it by holding off the winds. Shows were infrequent, but lasted longer at a later date when the country was cleared. Spring, summer, and autumn were long and pleasant with a few hot sunny days of a hundred in the shade, but the few hot nights made the growing corn crack and snap. The rainfall of 48 inches did not run off in torrents and floods, but dripped from the trees, soaked through the leaf mould and fed perennial springs and slow flowing branches with clean channels.

The male of the race seems to have developed that characteristic physique and physiogomy, of which Lincoln was an extreme type, and can be seen in their old portraits and survivors. Height there was, and (it is noticeable in their descendants to this day,) high cheek bones, thin faces, prominent nose, powerful jaw approaching the "Tennessee Chin" in pattern, large Adams apple, large ears, and thin rough neck. The hair was coarse and usually receded toward the temples. Not a beautiful ensemble, but intensely vital and adapted to all conditions of life, and to any task, physical or mental. One of these pioneers was an outstanding character and the leading citizen of this section.

HOW HOPKINS COUNTY WAS NAMED.

General Samuel Hopkins, as agent and attorney-in-fact for Richard Henderson and Company, founded the town of Henderson. He was a native of Albemarle County, Va; a second cousin of President James Madison, of President Zachary Taylor, of Stephen Hopkins (one of the signers) and a double second cousin of Patrick Henry. He took a conspicuous part at Princeton, Trenton, Monmouth, Brandywine and German Town, in the last of which battles he commanded a battalion of light infantry which was decimated, and Major Hopkins severely wounded.

As lieutenant Colonel of the 10th Virginia at the siege of Charleston, May 20, 1780; he was made a prisoner. In 1797, General Hopkins came west and settled at Henderson, (Red Banks.) He was elected Representative from Henderson County in the General Assembly and continued to hold office until his election to Congress in 1812. He died at Garden Spring, two miles east of Henderson in 1819.

Daniel Ashby, residing on Otter Creek, was an early comer, as surveyor, he laid off the John Harvey military survey in 1788, he was a man of parts,

a prominent and influential citizen, well and favorably known in the whole country west of the Green river, the Representative of Muhlenberg, Livingston and Henderson counties in the State Senate. He was the father of Absalom, Nathaniel, and Daniel Ashby, Jr; Ashby an astute politician, earnestly desired his neighbors should be given recognition. To carry his point, he hit upon the excellent expedient of drafting an act for the division of Henderson county, and naming the new county in honor of his colleague in the lower house, General Hopkins. The act passed and was approved by Governor Christopher Greenup, December 9, 1806.

While the Governor's Commission had been engrossed in the leisurely manner of the times, the news had been brought back by Senator Ashby in due course of time, it generally narrated around, the settlers got their corn planted, and the place of meeting discussed and considered by the appointed Justices, it was by then the 25th day of May, 1807. May in Hopkins County! What a splendid place to be. . . what a glorious time. . . words fail. The dry records must tell the rest.

"Be it therefore remembered: that at the house of Robert McGary, in the county of Hopkins, on Monday, the 25th of May, 1807; in pursuance of an act of the General Assembly, entitled "An Act for the division of Henderson County" approved on the 9th day of December, 1806; and in pursuance of an act of the General Assembly entitled "An Act altering the times of holding certain courts in this commonwealth", Approved the 27th of December, 1806; a commission was produced from his Excellency, C. Greenup, Governor of the Commonwealth of Kentucky, bearing date of December 29, 1806 directed to Richard Davis, Russell Weir,

Thomas Anderson, Thomas Adams, Stephen Ashby, Isham Browder, James Logan and Joseph Berry, Esquires; appointing them Justices of the Peace in the county of Hopkins. Whereupon, Richard Davis, Esquire; first named in said commission, administered to Russell Weir, the oath to support the Constitution of the United States, the oath of fidelity to the Commonwealth of Kentucky, and the oath of the Justice of the Peace for Hopkins County. Thereupon the said Russell Weir, administered the said several oaths to the above named, Thomas Anderson, Thomas Adams, Stephen Ashby, James Logan, Isham Browder and Joseph Berry.

And so a court was holden for the said county of Hopkins. Under the great elm, near the sparkling spring, at the head of the little valley opening to the north, in front of the hospitable home of Robert McGary, the large two-story house crowned the rise above the spring. The place is now a little off the Madisonville and Sacramento Highway, due to revision of its location in 1929.

Here our grave seniors met and accepted their trust, took up the task of county government, amid the plaudits of their fellow citizens of Hopkins from far and near. Not only came those who had motion to make, or causes to be heard, but all assembled for merry making and a celebration of new found independence and with high hope for the future.

From the south end, came old Dick Davis with his long beard and pigtail, in ancient swallow tail coat, the hump backed slave boy, Peter, waiting behind him. Russell Weir, arrayed like a peacock, rode in from the west. Inds brung on from Philadelphia for the occasion, he wore a plum colored coat, red waistcoat of brocade, tight fawn colored trousers, shiny boots and bell crowned hat.

There too, was rough bewhiskered Tom Anderson, the blacksmith, with an Axe Handle-and-a-half across the back of his slick buckskins. Thomas Adams, wiry and fiery, clad in blue homespun thick, heavy and stiff, came from the mouth of Deer Creek.

There too, was Colonel Stephen Ashby from the Green River country, dressed in his faded regimentals and topped with a coonskin cap with a tail. Isham Browder, pious Methodist and lay exhorter from Elk Creek wore a tall Beaver hat, which would weigh two pounds.

Joseph Berry of florid face, poised in manner, came attired in neat butternut from the Flat Creek country. Came too, James Logan, short, fat, squinting and merry, dressed in a bright blue coat. There was Tom Towles, the man of Law from Red Banks, E. Earle and S. Woodson,

in sober black, albeit a little rusty, and there was Daniel Ashby, bustling handshaker. There stood John Gordon, cold sober, for there was business forward, he was attired in new doeskins and leggins, his six feet three of gaunt body and strong legs, surmounted by his dark bony face with high red cheek bones, lantern jaws, strong lined big mouth and chin, shock of black hair, but all redeemed by the humorous twinkle in his bright eyes, there was a tomahawk in his belt, and he leaned upon his Jacob Staff. At his feet were saddle bags containing his compass. This was brought with an eye to business, he was the center of an interested buckskin group, propounding questions of land law, and getting laconic answers.

His brother Billy, gaunt and with fiery red hair, rough clad in homespun with his trousers in big rawhide boots with fiercely roweled spurs, rode in on his gray stallion, "King Willian."

James Nisbet, newly come from Fishing Creek, South Carolina, positive and argumentative, told of Colonel Samuel Bratton and his exploits at Huck's defeat, and debated the events of the Revolution with Colonel Abraham Landers, who held out for old Virginia. Old Ennis Ashby with young Ennis, the first pioneer child born in the wilderness between Tradewater and Pond river, was there too. Charles Bradley and Asa Sisk with the broadest of jests, held a small but noisy group.

Frederick Dobynd, Ebenezer Bourland, Pressley Pritchett, George Austin, Basil Wright and Reuben Berry and his sons, Ben, William H. and Reuben, Jr, as well as Squire Joseph Berry and a hundred more, swelled the crowd. And there were the boys, Samuel and Ambrose Grayson Gordon, Samuel Bratton Nisbet, Sam Morton. Jim Nisbet had his wonderful lop-eared dogs, fox dogs, gloriously spotted and the terror, envy and delight of the countryside.

These dogs were the particular delight of little Stillwell, Barsaiai, Obediah, Levi McGary and little Solomon Silkwood.

Sires without aristocracy of wealth or position, graduates of no college but the Spartan university of hardship and survival, men with character and type in every line, not one a coward, cheat, sneak, fool or weakling. Fathers in Israel, all the forefathers of many a worthy son of Hopkins county, met not to start the government with the blessing of God invoked by John Bourland, Minister of the Gospel of Baptist faith.

Mrs. McGary, flustered and flattered at the response to her John's hospitable bid, directed the negroes, augmented by the slaves of brother Dan--they tended the smoking barbecue pit where savory venison, mutton and wild turkey roasted to crisp brownness, resting on lengths of green saplings, they compounded the inimitable sop, and turned out, but kept hot on the hearth stone in the house the brown hoe cakes well baked all through. Not one, but two tubs of cider, one of hardest, the other with fermentation checked by mustard seed, the product of the new orchard that came in bearing year before last, a whole broached barrel of persimmon beer, with plenty of gourd dippers stood in the dugout milk house at the side of the elm. Bob and Dan where needed were everywhere, at the spring house, at the shooting match where Dick Davis's son, William demonstrated his markmanship under the rise down the lane to the left, they were shaking hands, chaffing, welcoming friends old and new.

As seats for court, Bob had provided two long puncheons rested at comfortable height upon an x-shaped contrivance of stakes driven in the earth and secured by hickory wi thes at the intersections. The more interested stood around and some squatted on their hunkers, some sat and some reclined on the acclivities of the little Amphi-theatre.

Court being on, David Wright produced a commission from the Governor, appointing him Sheriff of Hopkins, so thereupon took the oath; and with John Gordon, Abner Martin and Caleb Hall as sureties, executed his bond. Samuel Woodson's commission as Clerk came next, he producing his certificate of examination signed by Felix Grundy, Robert Trimble and Ninian Edwards, Judges of the Court of Appeals. He likewise qualified and proceeded to record the minutes in his plain, uniform handwriting, and used clear language. Robert McGary refused the office of Coroner, and the Court by resolution recommended to the Governor for appointment Henry Ashby and Claiborn Williams. They likewise recommended for appointment as Surveyor, the names of John Gordon and Peter Ruby.

Daniel McGary and Solomon Silkwood produced a writing as follows: "We do hereby present, promise and agree that should the county of Hopkins think proper to fix the place for erecting the public buildings on our land, we will give forty acres jointly to lie along our line that divides with Daniel McGray's plantation, except as to the water, which the said McGray agrees to allow every privilege to the County of the Hopkins Court aforesaid, the Court allowing us to lay off lots on the opposite side of the street, that given by us to the County; after a town is laid off of said land, May 25, 1807.

Solomon Silkwood (Seal)

Daniel McGray (Seal)

Whereupon the Court, a majority of the Justices thereof, as well as a majority of the Judges of Hopkins Circuit Court being present and concurring, did fix on, the place proposed by Daniel McGary and Solomon Silkwood for erecting the public buildings of Hopkins County, and did in all things accede to all and singular, the propositions containing in the above mentioned writing.

James Davis, Thomas Anderson, and Abraham Landers were appointed commissioners to draft plans for a Courthouse and Jail, and to report at the next term.

Thomas Towles, Esquire, produced a license to practice as an Attorney-at-law in the form prescribed by the Act of Assembly, and thereupon the Court appointed him Attorney on behalf of the Commonwealth in this Court, and thereupon he took the oaths prescribed by the Constitution of the United States and by the Constitution of the State of Kentucky. Here Squire Berry was excused and left the Court.

William Davis was appointed a Commissioner of the tax for the ensuing year and took the oath, with Robert McGray, John Davis and James Davis as sureties, he then executed bond. Daniel McGary invited the Court to meet at his house at its next term and his invitation was accepted. Court adjourned but Richard Davis first signed the minutes.

On July 27, 1807, another Court was "holden" at the house Of Daniel McGary with Richard Davis, James Logan and Thomas Adams promptly in attendance to open Court.

James Logan registered his stock mark, a cross and underbit in the left ear and a swallow fork in the right ear.

Mr. Woodson's bond as Clerk was presented and approved and on his motion Samuel H. Earle was sworn in as his deputy.

Henry F. Delaney was sworn and permitted to practice in the Court.

Good roads were in demand. Henry Ashby was appointed Surveyor of the road from Main Deer Creek to where the road from Toliver Timmons to John Groves intersected the same, with the lands in the territory bounded by a line from R. Hookers to Jesse Ashby's, so to include John Ashby, then to Pond River, down some

to the mouth of Deer Creek and thence up the same to the beginning, so as to include Richard Lee and John Groves. At this juncture Squire Anderson arrived.

John Gordon, produced his commission from Christopher Greenup, Governor of Kentucky, dated June 4, 1807, appointing him Surveyor for the County, he thereupon took oath and with his sureties, Abner Martin and Lindsay Martin, executed his official bond. On motion of John Gordon, the following were sworn in as deputies, Thomas Anderson, James Hughes, and Thomas Davis.

Edward Orton was appointed surveyor of that part of the road leading from Main Deer Creek toward Littlepage's Ferry from where the road leading from Toliver Timmon's place to John Grove's place intersects to the same, to the Sugar Camp Branch of Otter Creek to Otter and include Nicholas Hardin, Jesse Smith and Stephen Ashby.

Horatio Pidecock was appointed surveyor of another section of the road, to draw his hands for the working the same from a district established to include territory from Fugate's Sugar Camp Branch, so as to include Richard Foley, Thomas Stokes, Solomon Silkwood, and William H. Berry.

On application of John Hopkins, Stephen Ashby, George Timmons, George Ashby and John Ashby, were appointed viewers to view a way for a road from the Island Ford on Pond River to the road from Littlepage's Ferry to Deer Creek at, or near Lee's Sugar Camp. Squire Adams arrived and Squire Logan was excused.

John Davis was appointed a Commissioner for the purpose of assisting in drawing plans for the Courthouse and Jail, to report at the next term.

The will of Wm. Bourland, being proved by the oath of William

Davis, a subscribing witness, was ordered to be certified, so was the will of Mark Laffoon as proved by the oath of Noah Fox. Squire Anderson was excused. A road prescinct was estaylished between Flat Creek, Pond River and Fugat's Sugar Camp Branch so as to include James Allen. Squire Anderson reappeared.

Elias Smith was appointed a surveyor of the road from Fugate's Sugar Camp to Littlepage's Ferry. Squire Logan returned.

Robert McGary, Benjamin Davis, John Davis, and Thomas Harrison were appointed viewers to view a road from the seat of Justice to the county line in the direction of Christian Court House. Thomas Browder, Robert McGary, Vincent Fugate and Benjamin Bourland were appointed to view a way for a road from the seat of Justice into the road from the Red Banks to Greenville in the direction of Littlepage's Ferry, while the same viewers except Benjamin Bourland, (William Berry being substituted in his stead) were to view a way for a road from the seat of Justice into the road from the Greenville road to the Red Banks in the direction of the Red Banks.

Reuben Martin, Thomas Davis, Daniel Menser and Enoch Fox were appointed to view a road from Daniel Menser's to Drake's Creek in the direction of John Earle's Mill on Pond River. Barnabas Sisk, Caleb Hall, John Gordon and Benjamin Wallace were appointed to view a road to be conducted from the seat of Justice in this County to the County line in the direction of Centreville.

Hamah Murphey was granted letters of administration on the estate of Stephen Murphey, with Lemuel Harvey and Martin Hewlett, as sureties, gave the required bond, and John Bone, Elias Smith,

Isham Browder and Joseph Underwood were sworn to appraise in current money the personal estate and slaves of Stephen Murphey. John Carter registered with his stockmark. Squire Ashby appeared.

Then Daniel and Robert McGary and Vincent Fugate, who had been appointed viewers, reported that they had viewed and marked out a road leading to the town of Henderson and George Fugates, according to the marks running the most convenient way, and that the proprietors were willing for the road. James Nisbet was appointed surveyor of the road, with hands allotted from the Sugar Camp Branch of Otter to Fugate's Sugar Camp Branch. Squire Anderson was excused.

Jane Loving, an infant, chose her father Gabriel Loving, as her guardian and thereupon he gave bond with William Davis, surety.

Charles Bradley was appointed a Constable, and thereupon took the oath and executed bond with Benjamin Wallace and Peter Van Burkalow as his sureties.

Daniel McGary was appointed Jailer of the County.

Thomas Sotkes, David Wright, Daniel Ashby, Thomas Anderson, Thomas Adams and Henry Ashby registered their stockmarks.

Richard Davis and James Logan were appointed Judges in the ensuing election for a member of the House of Representatives, and chose Samuel Woodson as Clerk of the same.

Henry Ashby produced his commission as Coroner and took the oath and qualified with Vincent Fugate as his surety.

Squire Anderson came in.

Thomas Stokes was granted letters of administration on the estate of D. Parker, the widow Nancy, refusing to take the administration, V. Fugate and Peter Van Burkalow, sureties, R. McGary

Benjamin Bourland, Martin Hewlett and Richard Dodge, appraisers.

The plans for the Courthouse were adopted as follows: "The Courthouse to be of good hewn logs, seven inches thick, twenty feet square, eighteen feet high, with a jointed shingle roof nailed on, a partition of plank above, two below, a plank floor above and below, one pair of stairs, two outside doors below and a door in the partition above, a Judge's Bench, a Clerk's table, an Attorney's Bar and a Jurors' Bench above and one below, the whole to be done in good and workmanlike manner."

"The Jail to be of hewn timber nine inches square, sixteen feet by twelve feet, seven feet high, the floors laid with timber nine inches thick and squared, a window in the debtors room eight by ten inches and one in the Dungeon of the same size, two doors, one into the debtor's room, and one from the debtor's room into the Dungeon with good locks and hinges, the whole to be done in good and workmanlike manner.

Daniel Ashby, John Davis and Robert McGary were appointed commissioners to let the erection of the Courthouse and Jail to the lowest bidder. It was ordered that the next term of Court be holden at the house of Daniel McGary.

At the next term, August, 24, 1807, at Daniel McGary's stockmarks were registered, and viewer's reports received. William R. McGary was appointed surveyor of the road from the seat of Justice to where the same goes into the road from Highland Lick to Christian Court House. John Davis was appointed surveyor of the road from Drake's Creek to where that road goes into the road from Highland Lick to Christian Court House with hands to come from the area bounded by Flat Creek, Pond River, Drakes Creek, the County line, Tradewater, Caney Fork, thence so as to include Reuben Martin and Linza Martin

and Joseph Davis to the mouth of Flat Creek. Andrew Bell was appointed guardian to Polly, Lydia, Winnie, Benjamin, Nancy and James Knox, and Elizabeth Knox, wife of John Bell, gave bond with Abner Martin and John Gordon as sureties. Daniel Ashby, James Logan and Abraham Lander were appointed commissioners for the purpose of precessing all lands north of Clear Creek, Wm. McGary, Abner Martin and Caleb Hall, commissioners for the purpose of processing all lands south of Flat Creek.

It was ordered that one moiety of the money be paid to the person undertaking the erection of the Courthouse and Jail, to be paid August 1, 1808; and the other moiety a year later, the buildings to be completely finished and ready for use by the fourth Monday in June, 1808.

William McGary, Robert McGary, Abner Martin and Thomas Martin, were appointed commissioners on behalf of the county to superintend running the county line from the mouth of Owen's Creek to the Craby Orchard Fork and thence to Black and Newman's Main Sugar Camp Branch, the person to be employed by the said commissioner to run said line, to be paid for his services in the year 1809.

Caleb Hall, John Gordon, Joseph Kuykendall and John Dodge were appointed viewers of the road toward Centerville. Horatio Pidcock was made surveyor of another road.

William Newson, being decrepit, was exempted from the payment of the county levy.

On this day Solomon Silkwood being the lowest bidder, undertook the building of the Courthouse of \$329.00, and gave bond with Vincent Fugate and Elias Smith as sureties in the sum of \$2000.00.

In like manner, he secured the contract of building the Jail at \$229.00 and gave like bond. Noah Fox was appointed as Constable with James Allen as surety. On the motion of John Gergen, surveyor of

Hopkins County, Eli Bishop was sworn as his deputy.

John Brock, David Cavannah, Richard Lee and John Crownover were appointed viewers to view a road from the road from Muhlenberg to Knob Lick, and to leave the former way at the path that goes to Richard Lee's.

Charles Bradley was allowed two dollars for crying off the public buildings of this county.

It was---"Ordered, that Gordon, Surveyor of this County, do, on the last day of this moth, lay off the Town to be established in this County and that Daniel McGary, Abner Martin, Wm. Davis and Daniel Ashby or any three of them, do superintend and direct the same.

The next term of the Court was held at the house of Daniel McGary, Oct. 26, 1807; when the following order was entered: "On the application of Daniel McGary and Solomon Silkwood for a town to be established on their lands in this county at Flat Creek at the place where the seat of Justice of said county is fixed, and it appearing to the Court that it would be advantageous to the good citizens of said county in general that a town should be established at said place and to include 40 acres of land to be called by the name of Madisonville."

"Wherefore the said McGary, Solomon Silkwood with William R. McGary and Horatio Pidcock as their securities executed bond in the penalty of 1000 pounds conditioned as the law directs, and it is further ordered that the Town be, and the same is hereby vested in Isaac Whyte, James Nisbet, Barnabas Sisk, Horatio Pidcock and William Davis, who are hereby appointed Trustees of the same."

Henry Goodloe and John Slaton were ordered to do work on the road whereof W. R. McGary is surveyor.

William Whitesides' will was proved by the oaths of Eleazer Givens and Thomas Parker, and on motion of Samuel Whitesides and Meshach Llewellyn executors, William Owen, William Herren, Robert Robertson, and Abraham Lander were appointed appraisers.

William Bourland's will was proved by the oath of Martha Mosely and ordered recorded.

The following were appointed viewers on various roads: Lewis Howell, Absolom Ashby, George Timmons, Reuben Berry, Russell Weir, William Stewart, Robert Robertson, and William Owen.

It was ordered that Daniel McGary, be requested to employ some fit person to erect on the public square of this county a

good and sufficient post-and-rail stray-pound, 35⁺ high (square) 5¹/₂⁺ high with a good gate and lock, and that he exhibit his account for same.

Again on November 23, 1807; the court met at the house of Daniel McGary. William Davis was allowed \$47.50 for his services as Commissioner of the Tax.

The Trustees of the town of Madisonville in this county this day produced in Court a plan of said town, accompanied by a certificate as follows: "Agreeably to the request of the Commissioners appointed by the County Court of Hopkins, I have laid off the lots on the lands of Daniel McGary and Solomon Silkwood in half-score lots and the public square in one and half acre. Given under my hand this 2nd day of September; 1807. John Gordon, S. H. C. Which plan is admitted to record.

The western half of Madisonville is built upon the eastern half of the John Fowler 1000 acre military survey, the north half of which passed through Goldsmith Chandler, Ben Berry, and William Allen to Solomon. Silkwood, and the south half to Alexander Ashby, the dividing line between them crossing South Main Street near the intersection of Hall St.

The grant to John Fowler is as follows:

Isaac Shelby, Esquire; Governor of the Commonwealth of Kentucky.
TO ALL TO WHOM THESE PRESENTS SHALL COME**GREETINGS: KNOW YE,
That by virtue and in consideration of part of a land office Military Warrant W345, there is granted by the said Commonwealth unto John Fowler, representative of Arthur Lind, deceased, a certain tract or parcel of land containing 1000 acres by survey, bearing the date the 20th day of January, 1785, lying and being in the District set apart for the officers of the Virginia Line, on the waters of Poague's Creek

and bounded as followeth, to-wit; Beginning at two small dogwoods and a maple on a ridge S. E. corner to Javin Miller's survey No. 316 and running east 400 poles crossing a branch twice to a dogwood, white oak and hickory, thence north 400 poles crossing two branches to two dogwoods and white oak, thence west 400 poles to an ash and two white oaks, the n. e. corner to said Miller, thence with his line south 400 poles to crossing a branch to the beginning. WITH ITS APPURTENANCES: TO HAVE AND TO HOLD the said Tract or Parcel of land, with its appurtenances, to the said John Fowler, and his heirs forever. IN WITNESS WHEREOF: The said Isaac Shelby, Esquire; Governor of the Commonwealth of Kentucky, hath hereunto set his hand, and caused the lesser Seal of the said Commonwealth to be affixed at Lexington on the fifth day of September, in the year of our Lord, one thousand, seven hundred and ninety three and of the Commonwealth of the second.

ISAAC SHELBY

The branches referred to on the second or eastern line, (Main Street in Madisonville) were at the intersection of Lake Street and the intersection of Arch Street. The branch crossed by the western or last line is the Sand Branch below Spring Lake, a tributary of Greasy or Poage's Creek.

Daniel McGary held an irregularly shaped smaller adjoining tract east of Main Street, and lived near and above the Public Spring, which is now entirely covered by the concrete sidewalk at the northeast corner of Franklin and Cardwell Streets, and flows by a tile into the Tanyard Branch near by.

This spring was in the east edge of D. McGary's woodslot, a narrow strip along his property line (between Main and Franklin) and to avoid taking any of his cleared land, the town site was so shaped as to confine to the woods-lot and extended as parallelogram or

rectangle from Union Street to Main, and from Noel nearly to Hall making 20 acres on that side of Main as against a like amount of the same shape taken from Silkwood land, west of Main Street. The Spring was not in the town site, the use of the water, was allowed however. The town as laid off, consisted of tow streets, Main Street, running north and south, and Main cross street, east and west, with alleys east and west between every square of four lots, the public square being at the s. e. corner of the intersection. Court and Union Streets were not dedicated or opened. The western boundary ran nearly north and south in such a way that the railroad when constructed, crossed the boundary diagonally in the middle of Main Cross Street at its west end.

The County Court composed of the Justices of the Peace, in establishing Madisonville acted under an act entitled: "An Act Concerning the Establishing of Towns Approved Dec. 19, 1796." this act was complied with in every respect.

The lots were to be sold at auction, after advertisement at the Courthouse door for 2 month, and the purchasers would receive the simple fee titles to the lots purchased by them. The Trustees appointed by the Court, had the right to require the inhabitants to clean and repair the streets, or to hire the cleaning or repairing, and to levy the price thereof upon the inhabitants failing or refusing to clean or repair streets.

When the actual resident inhabitants were 15 in number, they should elect Trustees on Court day in August every second year. Bobd to insure the title was required to be given to the Court by the founder. The Court was empowered to enlarge the town. No legislative or judicial departments nor any police, or

other officers for the town were provided, nor were any revenues.

The Trustees were not required to be residents of the town. They proceeded to sell the lots, but conveyances were not made until Jan. 23, 1809; when a number of conveyances were made simultaneously. The following is the deed of the Trustees to Wm. Noel and conveys the row of lots along Main St; from Main Cross St. north to Arch St; with the lots in rear of same, and also the lots now at No. 350-60 North Main St, with lot in the rear thereof.

(48-56) THIS INDENTURE made the 21st day of May, in the year of our Lord, 1810, between Isaac Whyte, James Nisbet, Solomon Silkwood, William Davis and Horatio Pidcock, Trustees of the Town of Madisonville, in the county of Hopkins and the Commonwealth of Kentucky, appointed agreeably to an Act entitled, "An Act concerning the establishing of towns," of the open part, and William Noel of the County and Commonwealth aforesaid, of the other part. Witnesseth: that the said Whyte, Nisbet, Silkwood, Davis and Pidcock, Trustees as aforesaid, for an in consideration of the sum of fifty-two dollars and ninety-two cents and five mills current money of Kentucky to them in hand, paid the receipt whereof is hereby acknowledged to have been granted, bargained and sold, and by these present do grant, bargain, sell and confirm, unto the said William Noel, his heirs and assigns, all the lots or parcel of ground situated and being in the town of Madisonville, and in the County of Hopkins, containing ten half-acre lots.

These lots designated in the plan of the said town by these numbers, forty-six, thirty-one, thirty-nine, thirty-two, forty-one, thirty-four, forty, thirty-three, forty-eight, and fifty. together with all and singular, the promises thereunto belonging or in any wise appertaining; to have and to hold the lots hereby conveyed to the said William Noel, with the appurtenances

unto the said William Noel, his heirs and assigns forever; and the said Whyte, Nisbet, Silkwood, Davis, and Pidcock, Trustees: as aforesaid, for themselves and their successors, the aforesaid lots and premises, unto the said Wm. Noel, his heirs or assigns, against the claim or claims of all and every person or persons whatsoever, do, and will warrant and forever defend, by these present. INWITNESS WHEREOF, the said Whyte, Nisbet, Silkwood, Davis and Pidcock, Trustees as aforesaid, have hereunto set their hands and seals the day and date first above written.

Isaac Whyte (Seal)

James Nisbet (Seal)

William Davis (Seal)

Horatio Pidcock (Seal)

Solomon Silkwood (Seal) Acknowledged in presence of S. Woodson, Clerk

James Prather bought lot No. 1 for \$7.00 and soon sold it to George Lee for a profit of \$3.00. It is on the south side of W. Main Cross Street, and just east of the railroad: Argyle Ashby bought lots 49-50 on the east side off N. Main St; which will include the homes of the late Wm. D. Coil, Miss Pearl Mills, J. Clarence Nisbet and Mrs. Lizzie M. McPherson. Isaac Hibbs bought lots 36-53. Lot 36 is located on the south side of Oates Street and east of Dempsey St. Moses Brown, assignee of Solomon Silkwood, bought lot No. 3 and a fractional lot adjoining same, which is located in the extreme southwest corner of the town. Michael Anderson bought lot No. 38, which is located on the south side of West Noel Streets, where the L. & N. railroad crosses the same, and he also bought lots number 37, 44, and 45, which would include the square of about two acres located at the corner of Main Street and West Noel Street. William Cardwell in consideration

of \$52.25 bought lot No. 59, which is located on the south side of East Arch Street between Main and Franklin, formerly Tanyared Street. Daniel McGary bought lots No. 18, 19, 25, and 26, next to the Hog Eye lots, on bouth sides of the William C. Hollinger Jewelry Store. W. R. McGary bought lots 21 and 28, southeast corner of Broadway and South Main streets. Caleb Hall bought for \$27.50 lots 17, and 24, also 61. Lots 17 and 24 later became famous as the Hog Eye block. Lot 61 was the lot that is now on Federal Street in the rear of the jail. Federal street was then a 16 $\frac{1}{2}$ foot alley. Pressly Pritchett bought for \$28.00 lot No. 54 which includes the space at the northeast corner of Main and Main Cross Street about 150 feet of frontage on each street. William R. McGary bought for \$20.00 lots 9, 20, 27. Lot No. 9 is at the soughwest corner of Main and Main Cross Streets, and includes the Kentucky Bank and Trust Company building, and fronts about 150 feet on each street. Lot No. 20 is near the northeast corner of Main and Broadway. Lot No. 27 lies immediately east of Lot No. 20. These lots were originally bought by Benjamin Davis, and assigned to McGary. Thomas Stokes in consideration of \$15.00 bought lot No. 62, which lies on the north side of Main Cross Street opposite the intersection of Union Street (which, however, was not then open), and extending 150 ft. westward to lot No. 54, and including the John L. Long Bakery Lot. Pressly Pritchett also bought for \$10.75 lot No. 53, which will include the land on which the Messenger Printing House is now located. Thomas Prather in consideration of \$12.50 received a deed from the Trustees for lot No. 10, which was located on the west side of Main Street just north of Aaron's alley, and includes the site of Dulin's store. He soon sold this lot to William R. McGary.

Robert Hooker bought half of lot No. 1, which is the southermost lot in the town on the west side of Main Street and now occupied by the residence of Frank Davis Cain. Arthur Slaton bought lots 47 and 57. Lot 47 includes the Frank D. Ramsey lot at the corner of Main and East Noel and lot 57 was on the South side of Couch street in the neighborhood of the intersection of Franklin Street.

At the time of the foundation of the town, Solomon Silkwood, the donor of the west 20 a res, was the owner of only an undivided half interest in the 1000 acre tract of which that was a part; William Allen being co-owner. This defect in his title was corrected by an agreement dated February 24, 1811, between Willis Morgan, attorney-in-fact for William Allen, and witnessed by William Cardwell, William R. McGary.

The first deed recorded in the Hopkins County Court Clerk's office is one from Benjamin Reynolds to Vincent Fugate dated May 19, 1807, witnessed by David Sibley, and conveys in consideration of \$300.00 a certain negro girl nameddJane, of about 13 years of age.

The second deed is dated June 7, 1807, and was executed by James Davis to Patsy Davis and conveys 200 acres on both sides of a Branch of Flat Creek, and this creek is a branch of Pond River, the land adjoining John Dodge, and the deed is witnessed by Daniel McGary, William R. McGary, Benjamin Davis and James Rash.

The first power of attorney was given by Alexander Rhea, devisee of the wills of William and Elizabeth Rhea his wife, lat of Bath County, Virginia; appointing William Rhea his

attorney-in-fact to collect his legacy. The power of attorney is dated the 10th day of July, 1807.

The next conveyance of a negro was from James Davis to Robert Davis dated February 2, 1807, stating no consideration, but conveying two negroes, one a man named Jack and the other a boy named Sam. This conveyance was witnessed by Hiram Kirk and James ~~Ash~~.

The next instrument may be one of a character in common parlance, referred to as a "lieball." It is as follows: "I do hereby, certify that there has been a dispute between David Sibley and myself for his taking a creature from me in a mistake and the said Sibley has satisfied me. I do bind myself that I will bring no suit against him nor anybody----- Elisha Turner. Test: Daniel McGary, Vincent Fugate.

Old deeds antedating the organization of the county were occasionally brought in and recorded. Such a deed is one dated July 3, 1804, from Nathaniel Ashby of Fayette County, Ky; to Lewis Howell of Henderson county, Ky; whereby in consideration of the sum of five pounds corrent money of Kentucky, he conveys to said Howell 150 acres of land on the waters of Pond River, adjoining a military tract thereon. This deed is witnessed by Daniel Ashby, Absalom Ashby, Alexander Andrew and Thomas Morton.

Bounds Ashby conveyed to Vincent Fugate by a deed dated September 8, 1807, his entire interest in the estate of his father, Henry Ashby, deceased. The deed is witnessed by Argyle Ashby and Lewis Robertson. Henry Ashby left another son whose name was Robert.

The oath of Sarah Clift of Dixon County, Tennessee; dated August 25, 1807; shows that in September, 1797, in the state of Virginia her husband, Thomas Clift had in discharge of his duty to his daughter, Hannah Clift the wife to Stephen Murphy, deceased, given to said Murphy, a cow to be his property and a heifer for the only use and benefit of said Murphy's Wife's son, James, which said James was born out of wedlock, investing the property of said heifer with the whole of her increase in said James forever.

The military grantees early began to realize upon their grants. Munford Beverly, of Culpepper County, Virginia, on September 21, 1807, conveyed to Alexander E. Spottswood, of Fauquier county, Virginia; in consideration of 10 pounds lawful money of Virginia, the tract of land granted to Philip Clayton by virtue of land office military warrant No. 794, This land was on the waters of the Tradewater, containing 170⁰⁰ acres and adjoining Nathaniel Pendleton's survey, No. 186. This deed is acknowledged before Robert Slaughter, jr, and Philip Slaughter, justices of the peace of Culpepper county, Virginia; and their certificate is authenticated by the signatures of John Jamson, Clerk of the Culpepper County Court and of Birket Davenport, Judge of said Court.

These are the only transactions recorded in the deed book in the first year of the county. In the next year the following names appear as parties to deeds or as witnessed: Abner Martin, Andrew Philips, James Baker, Alsey Fullen, Fielding Jones, Joshua Barnes (the first blacksmith to locate in Madisonville) Vincent Fugate, William Owen, John McCormack, John Robertson, Issac

Matthews, John Bratcher, Caron Bratcher, John Clark, William Clark, Calvin Merry, William Mitchell, John Davis, Benjamin Talbott, Thomas Helm, Peter Kuykendall, Lawrence Stull, William Henry, Paulser Smelser, Silas McBee, Asel Wier, Elijah Clark, Willis Morgan, Andrew Bell, David Wright, Thomas Cathouse and Samuel Casey.

The volume of business increased greatly in the second year.

Before August 8, 1810, Robert McGary at whose home the county was founded, removed to Knox County, Indiana Territory, and sold his land east of Madisonville to William Berry, Andrew Bratton, and Daniel McGary, who owned lands adjoining it at the time. The old deeds sometimes disclosed the origin of the early inhabitants.

For instance, Benjamin Berry, of Hopkins County, Ky; on May 24, 1809, appointed as his attorney, John Berry, of Charles County, Maryland, to obtain for him by suit or otherwise, the lands of which his father, Reuben Berry, did seize and possess in the county of King George, and Commonwealth of Virginia, the same held under lease, executed by George Tuberville and his wife Martha, of Westmoreland County, Va; to said Reuben Berry, whereby said Reuben Berry was to have and enjoy said tract of land for the term of three lives not yet expired.

In those days the practice of binding out youths as apprentices to learn industries or trades was practiced. On May 6, 1810, articles of apprenticeship binding Allison Hewlett to Martin Hewlett: "To be taught and instructed of the different branches of his trade, art and mastery of the farmer." The said Martin Hewlett to use his utmost endeavor to cause said Allison Hewlett to acquire a thorough knowledge and to provide for him good and sufficient meat, drink, apparel and lodgings fitting for an apprentice and teach or cause him to be taught to read and write and do common arithmetic, including the rule of three, and after the expiration of said apprenticeship, pay to the said Allison Hewlett,

3 pounds and ten shillings, a decent new suit of clothes, a horse, saddle and bridle, worth 18 pounds."

Other youths early bound as apprentices were Benjamin Timmons to James Core, Sadler; John Timmons to Paron Howell, Hatter; Hohn Keyser to Alexander Rhea, Wheelwright.

Names also appearing in the early records as grantors, grantees, or witnesses are Benjamin Wallace, Thomas Wyatt, Charles Wyatt, Jeremiah Chapell, Hobson Brown, George Gill, William Jones, Samuel McNeely, Thomas Herrin. Ninian Edwards of Russellville, who subsequently became the first Governor of Illinois, became the owner of land in Hopkins county, May 11, 1810, by deed from the trustees of Newton Academy, (formerly Logan Academy) conveying to him two tracts of land on Tradewater, granted to the Logan Academy, May 11, 1802, containing 2121 acres.

An early form of mortgage was a deed of trust, such a one was made June 6, 1810, from Joshua Barnes to Benjamin Davis, Jr, trustee of Caleb Hall, whereby in consideration of Hall becoming security for Barnes to John McMecan, of Bardstown, Ky; for the sum of \$1000.00 Barnes conveys to said trustee, six lots in the town of Madisonville, and ten acres of land adjoining the same, a negro woman named Minter, a negro girl named Harriet, four feather beds and furniture, four horses, a blacksmith shop and tools. Joshua Barnes was Madisonville's first blacksmith. Joshua Barnes mortgaged the same property to Solomon Silkwood June 6, 1810, the witnesses were Townsend Douglas and Richard W. Allen.

The mortgage of the embarrassed blacksmith, Joshua Barnes, to Hohn McMecan was renewed April 28, 1810, and the original was sent to Charles Wickliffe, attorney for McMecan at Bardstown. The same Charles A.

Wickliffe who subsequently became Governor of Kentucky. Alexander Griffith was a contemporary blacksmith, with a shop in the Lick Creek country.

Isham Browder was survived by his two grandsons, Thomas and John Browder, and owned lands on Elk Creek. They were the sons of Thomas Browder and his widow Rebecca Browder, married Lemuel Hewlett; he also left a son, John Browder. On August 23, 1820, Isham Browder and Elizabeth his wife, conveyed to James Hicklin, Isham Browder, Jr; Stephen Ashby, John Ashby, Paron Cardwell, Arthur Eaton, Elias Smith, Stephen Murphy and Henry Harmon, trustees of the Methodist Episcopal church of the United States of America, the Browder's meeting house lot containing two acres, the church standing on the lot at the time. (Deed Book 4, Page 20)

Squire Joseph Berry was a son of Reuben Berry and a brother of John Berry and William H. Berry. He sold his lands and removed to Union county about 1823.

An account of the courts and records of the county for its first half century would be lame and incomplete without some account of the man who kept the current records of the county for almost the whole of that period with the degree of accuracy, clearness and efficiency, as commands the admiration and wonder of every one who takes occasion to inspect or use them. The calligraphy is excellent, the indexes perfect, the language over a model of clarity. Few counties have been blest with such an able and diligent recorder in their beginnings.

Samuel Charles Woodson, jr; was born in Goochland County, Virginia; September 1, 1787. He removed with his parents to Mercer County, Ky; in 1802, and the next year was appointed deputy clerk in the office of Col. Thomas Allen, clerk of the Mercer court. He wooed and won the fair daughter of the clerk of the county of Mercer, Nancy Harris Allen, and the

they migrated to Hopkins County in 1807, arriving just before the county was organized. When he and the bride arrived, they were guests of Solomon Silkwood, until they built near by their own home, two log rooms with Passageway, now a part of the residence at Browning Spring, completed in the fall of 1807.

Samuel Woodson married twice. His children by his first wife were Thomas, who died in infancy, Sarah Grant, who married Orlean Bishop, Mary Ann, William, Samuel Charles, 3rd; who married Rebecca Hawthorne and was the father of Urey Woodson, Melvina Weir, who married Dr. William Browning. Nancy Haris Woodson died in 1833. Samuel Woodson's second wife was Miss Cassandra Ware, daughter of Colonel Thomas Ware, of Bourbon county, whom he married in 1835. To this union two children were born, Thompson, (1838-1863) and Kitty, who died at the age of twenty-three of pneumonia. She contracted this disease while campaigning for Orlean Bishop for County Clerk.

Thompson Woodson first married Miss EmHart, who died without issue, his second wife, Miss Allie Frost, bore two children. Cassandra Ware Woodson and Thompson Woodson, Jr. After the death of Thompson Woodson, his widow married Lemuel Harvey and bore him two children, Laura and John Harvey.

Here is a letter from Samuel Charles Woodson, Barren County, Ky; to Samuel Charles Woodson, Jr.; Clerk of Hopkins County. The letter sent by his brother, Matthew Woodson, who rode horseback from Barren County to Madisonville.

Barren County, April 14, 1810:

Dear son:

By Matthew I write you a few lines, but I have nothing very material to mention. I expect to sell my land in a few days where I now live. I have in contemplation, to move to your county. My view for so

doing, is that of getting into the mercantile line of business, as I know by experience, I cannot keep my family as I wish, unless I have something more than a farm in this country. My brother, Matthew Woodson, tells me your county is very full of hogs and beef. That is another reason I would like to live there. What I get for my land will be cash and I wish to make the best out of it I can. I want 200 hogs about the 10th of Nov. If I can obtain them, there is no doubt I shall get from \$6 to \$10 per 100 in Virginia if I can carry them in myself. I shall be at no expense hiring help and they will bring me upward of \$2,000 cash in hand. I mean then to go on to Baltimore and purchase goods. I have just about negroes enough to attend a tavern and may keep a store and a public house if I can get the hogs on the terms which I have written you. I wish you to send me a letter by the bearer here-of. I have not heard from Spottiswood since August last. The family all joins me in love to you and Nancy. Bud sends his respects to Mr. Grant Allen. We are all well. Samuel Woodson, Jr.

To Samuel Woodson, Jr.; N. B.

I have about 120 heads of hogs now, but none fat for market. S. Woodson. The father's desire to join his son in Hopkins was never gratified. No better man could have been chosen for the post of clerk of the Hopkins county and circuit courts, posts which he filled for 44 years to the satisfaction of all. The neat, plain signature of Sam^r Woodson in on every page. He had a genius for detail, a facile pen, good command of plain English, a well poised and active mind, and even disposition withal, a fine gentleman of the old school. He was worthily succeeded in 1851 by his son-in-law, Orlean Bishop in 1854, he passed on having filled his place in life, inconspicuous it may be in a large sense, but with honor and credit, leaving to his posterity the treasure of a good name.

His daughter, Emeline W. Browning was happily married to Dr. Wm. M. Browning, a native of Hopkins who had his early schooling under Thomas Snow, receiving his finishing in literary education at Russellville, and medical training in Louisville, moved there. He became the father of Mary Georgia, who died in infancy, Corinne, (Mrs. Nathan Gold) Sallie Macklin, William M. and Emeline, Mrs. Gold, Sallie and Emeline Browning living in the Woodson homestead at the Spring. There was another son named Woodson.

Woodson Browning, who was long associated with Marcellus Woodson Bishop in the mercantile business, (1853-1919) married Cassandra Ware Woodson. Of this union there were four children: Sallie, (died in infancy) Woodson, Jr; Robert, (died in 1913) and Cassandra, (Mrs. D. M. Duncan.)

In person, Sam Woodson, was a little below middle height, strong and closely knit, heavy set so to speak, with clear complexion, smooth shaven, yellow hair, a pleasing countenance and serene blue eyes.

The duties of the clerk in the early years were not onerous, and Mr. Woodson found in them merely an avocation. The few books and scanty produced at court in course. When a deed was to be acknowledged or a writ issued, Sam Woodson was to be found on his farm a half mile from the court house, working on his plantation. If ploughing, the litigant or attorney, or grantor, was expected to turn over his papers to the clerk, and to plough for the clerk while the clerk went to his swelling for pen, ink and paper to do his office work.

A letter of Manumission is as follows: "David Taylor gives up his son, William Taylor from under his care, to be free dealer to bargain, deliver and receive for himself one gray mare rising three years old, branded on both shoulders this 9, with his saddle and bridle, a cow and calf a year old, heifer, and one sow and pigs known to be claimed by him for some time past." James Brown and Mary Strong witnessed the document.

From this examination of the contemporary deed records, we turn to the personnel of the first officials. Colonel, (or to give him his rank

in the Militia, General) Stephen Ashby came early from Virginia and settled on Green river below the confluence of Muddy river, (Pond River.) He had participated in the Revolution as a soldier of the Virginia line, and had passed through all the vicissitudes of Indian warfare. A man of great force of character, commanding presence, he enjoyed the respect of all throughout his life, and was for many long years a leading citizen of the county. At his death in 1841 he was survived by his widow Elizabeth, and ten children, Prather, Stephen, Jr; Enos, Vincent, Nancy, (wife of Lewis Fugate) Tabitha, (wife of Enos, Ashby) Rosa, (wife of Louis Ashby) Mary, (wife of William Ashby) Priscilla, (wife of Thomas Prather) and Catherine, (wife of Austin Smith.) He was the founder and godfather of the town of Ashbysburg on Green River, erected by an Act of the General Assembly approved January 3, 1829.

James Logan, another of the first Justices, owned lands but accumulated little wealth. He set great store by his good name as shown by a "lie-bill" of record as follows: (Deed Book 2, Page 232), "Hopkins County, Aug, 19, 1818. I hereby certify that when James Logan and myself fell out in Madisonville, I charged said Logan with being a thief and it was in the heat of passion. It was entirely without grounds at all and as far as I know said Logan is a dishonest man in no respect. Given under my hand, John Robertson." Teste: Alexander Ashby. He died about 1826, survived by his children, Thomas, Polly, Nancy, and Ann, (wife of William Ashby.)

Richard Davis, the Senior Justice of the Peace, was one of the first settlers and bought and improved 2000 acres of land nine miles south of Madisonville. His first residence was a log cabin but later he erected a brick house, one of the first in the county. He was well-to-do for the times, and after serving his term as Justice of the Peace, became Sheriff of Hopkins County.

He died in the latter part of October, 1812, survived by his widow Ann Davis, and by his son, Thomas C. Davis, otherwise called Red Tom, and William Davis who at the time of the death of his father was absent on military duty with General William Henry Harrison's expedition, leaving his wife, Missanah Davis, and daughter Huldah Ann Davis, with his father. His other children were Elizabeth, wife of Thomas Morton, Susannah, wife of Edward H. Earle, and Nancy, wife of Nixon Givens. He made a liberal provision for his children charging, however, a considerable advancement to his son, Thomas C. Davis, whom he had furnished money to go to Philadelphia. It is interesting to note among other items of his estate, his desk, looking glass, 14 earthen plates, 1 candlestick, 4 cups and saucers, 7 bottles, 2 punch bowls, 1 coffee mill, pewter dish, 1 hackle, one large Bible, 2 spice mortars, one plow, compasses and his surtout. His son, William Davis, was the father of Dr. Eldred G. Davis, father of Dr. Peter Bailey Davis, both of whom long practiced their profession in this County.

Thomas Adams was one of the first Justices. He died early in October, 1829, survived by his widow Elizabeth Adams, and his children, William, Ann, Patsy, John, Nancy, David, and Thomas Adams. Esquire Adams was somewhat of a money lender,

John W. Goodloe, Alfred Townes and Willoughby Ashby, being among his debtors. He was also well furnished with this world's goods a valuable set of pewter, a coffee mill, looking glass, vials and a clock worth \$35.00. He was a cotton planter and raised cotton for use and also for sale. He owned 41 animals of the cow kind, 44 head of hogs, 48 sheep, 46 geese, a large Bible and various books; a thrifty man and a very good manager. His estate was appraised by his neighbors, Beckley Jackson, Lemuel Hewlett and Samuel L. Craig.

William Russell Wier, another of the Justices, represented the county in the General Assembly in the lower House, and was State Senator for many years. He left a large estate, including among other things, 15 slaves, 60 head of hogs, 60 head of geese, 26 head of sheep, one chestnut sorrel stallion, named Oscar, and worth \$500.00, and seven other horses, mares, 12 animals of the cow kind, 5 plows, a dressing table, watch, secretary, and fine china. The appraisers of his estate were William King Arnold and John Montgomery. He died in March 1837, survived by his widow Amelia A. Weir. He left an only child, Judith N. R. Weir, who intermarried with John Weir Givens, a most worthy, prominent and excellent citizen, to whom she bore one child, Mrs. Amelia R. Givens who lived at Providence.

Russell Wier was active in the Militia, and rose to the rank of Brigadier General.

Thomas Anderson, another of the Justices, with his brother Andrew Anderson, came at an early date from Mercer County. Andrew had no children. Andrew and Thomas were sons of Samuel Anderson and Elizabeth Anderson, his wife. There was a relation to the Browder

family. Thomas died in December, 1845, at a ripe old age. He was survived by his sons, Thomas and Samuel.

Like the Clerk of the courts, the Sheriff kept no office in Madisonville, but was to be found when wanted, working upon his farm. David Wright served as Sheriff from May 25, 1807, until January 25, 1808, when he removed with his wife Sarah to Henderson county and vacated his office. The Justices recommended to Governor Greenup the appointment of William McGary, but James Baker, who had been serving as deputy Sheriff, contrived to get the appointment.

The Justices, offended, on April 25, 1808, refused to recognize Baker or allow him to qualify as Sheriff on the grounds that he had not resided in the County one year. However, on June 27, 1808, the Hopkins Circuit Court ruled the Justices to show cause why they should not qualify Baker. At that time, the differences were reconciled (after the County had been without the services of a Sheriff for six months) and the Governor appointed and commissioned William R. McGary as Sheriff.

None of the original Trustees of the town of Madisonville resided therein, of course, for at that time the site was a virgin forest. Isaac Whyte lived closest by, and he was the son-in-law of Kaniel McGary, having married Mary McGary his daughter. Her mother was Nancy Berry, daughter of John Berry. Whyte moved away in a few years.

Pressly Pritchett was the first settler in the town. He built a log house at the northwest corner of Main and Main Cross Streets, where he opened a Tavern. This he soon sold to

William Noel, shoemaker, and removed to Henderson County, and later to Evansville, becoming in 1822 the first Justice of the Peace of Vanderburgh County, the Pritchetts of Henderson County descend from him.

Horatio Pidcock died about 1829, survived by his children., Rebecca, (wife of Peter H. Matthews) Amos B. William, Liner, Rosanna, Letty, (wife of Nimrod Shoemate) Baker, and Ira, B. Pidcock.

James Nisbet, another Trustee and early arrived from South Carolina, was the father of Alexander, James, Jr; and Samuel Bratton Bisbet. He was a "soldier of the Revolution", according to the inscription upon his grave stone in the old Nisbet burying ground, just west of Grapevine mine, where lies his body and that of his wife, Jane Bratton, the daughter of Col. Samuel Bratton, a noted Revolutionary soldier.

Solomon Silkwood removed (before 1822) to Washington County, Illinois, leaving his son Levi, who married Niny Cook. Solomon Jr; died in 1814, Barzalai, another son, married Susannah Vickers and died at the Silkwood home on the Reinecke property now the site of the residence of Emil Braun, survived by his widow and sons, Obidiah, Barzalai, Jr; Stillwell, James, Thomas, and Hiram who married Nancy Stillwell.

William R. McGary was prominent in the affairs of the County for many years.

John Gordon, who held the office of County Surveyor, then most important, was born in Bedford County, Virginia, on Nov. 12, 1774, the son of Captain John Gordon and his wife, Elizabeth Grayson, and came as a child to Gordon's station, a blockhouse on Shawnee Run, a branch of Dix river, near Harrodsburg, in

Mercer county. After the death of his father, who was slain at the Battle of Blue Licks (1782) the family emigrated to the southern part of Henderson County, now Hopkins. John Gordon and his brother William, were both deputy surveyors of Henderson county under Edmund Talbot, surveyor of Henderson, who married their sister, Elizabeth Gordon. Their widowed Mother married Joseph Davis in Mercer County, was the mother of Israel, Benjamin, Thomas, G. and Priscilla, and all came to Hopkins. This Israel Davis died unmarried and without issue, from wounds received in Shelby's Expedition.

Nancy Gordon married Abner Martin. John Gordon died October 8, 1824, on his Sugar Creek farm where Lacy Ramsey lives, survived by his widow Elizabeth Janet, (died 1842) daughter of Sheriff David Wright and by his son Ambrose Grayson Gordon and his daughters, Minerva, W. (wife of Samuel Morton) and Nancy, (wife of John D. Hardwick) John D. Hardwick, a native of Montgomery County, Ky; was the first Tailor in the county, (1803) later a taver keeper.

Ambrose Grayson Gordon took his name from that Ambrose Grayson, maternal uncle who was killed near Logan's Fort, August 25, 1777, in Indian combat. Typical of his time, despite occasional intemperance of appetite, act and deed, he was held in high regard as a man. For the first eighteen years of the County's history, he held the highly important office of surveyor, discharging his tasks with skill and accuracy, and laying well the foundation of its land titles.

Thomas Towles, the lawyer, appointed as attorney on behalf of the Commonwealth, was a resident of the Red Banks, and well qualified, he later served in the same capacity in the Hopkins Circuit Court. At a later date he was appointed a Judge of the highest court in the Illinois Territory and left Kentucky January 16, 1816. He returned

to Henderson county and was state Senator from 1821 to 1824.

The trait by which he was remembered was his accurate and tenacious memory, which enabled him drunk or sober, instantly to cite any legal principle or reported case which he had ever read by name, book and page, with unfailing certainty.

The vigorous growth of hair on his head was also a feature remembered. It was said to "grow like raspberry bushes," that is, apparently with both ends rooted in his scalp.

It will be observed from the order of the Hopkins County Court quoted heretofore, that "a majority of the Judges of the Hopkins Circuit Court were present" at the session, at which the town of Madisonville was established.

This was a legal prerequisite to the establishment of a county seat of Justice. The Judges referred to as forming a majority of the Hopkins Circuit Court were Vincent Fugate and Thomas Prather. They were not lawyers, but were substantial citizens, commissioned by the Governor as Assistant Judges of the Hopkins Circuit Court, the law Judge Being Henry P. Broadnax, of Lebanon. Judge Broadnax's circuit consisted of the counties of Hopkins, Henderson, Daviess, Breckenridge, Logan, Muhlenberg, Christian and Livingston. He was a well grounded lawyer of tireless industry, possessing also in addition to legal acumen, moral and physical courage in marked degree. On occasion he left the bench when a tumult or riot was in progress nearby, and quelled it by force, both admonishing and belaboring the participants. He presided with great firmness and dignity.

Unlike a near contemporary circuit Judge of Illinois who trimmed his toe-nails while presiding in open court.

Circuit Courts were established on the basis above indicated

to succeed the general, district and quarter session Courts, which existed prior to 1802, (Act of Dec. 2, 1802) The system of having one law judge and two assistant lay judges continued until the Act of Feb. 2, 1816, established Circuit Courts on substantially the same basis as that upon which they have been since conducted.

Neither the law judge, nor the assistant of lay judges, were elected by popular vote, but were appointed and commissioned by the Governor to serve during good behavior. Henry Broadnax was the first judge appointed, and continued to serve acceptably until March, 1819, when succeeded by Benjamin Shackelford. One of Judge Broadnax's faults, for he had such in minor degree, was his outspoken frankness, and his contempt for the rule whereby he was required to consult the lay judges on questions of law.

It is related that when sitting in banc with the Hon. Vincent Fugate on his right and the Hon. Thomas Prather on his left, and any legal question would arise, he would turn first to one and then to the other, in obedience to the law, and ask with ill concealed arrogance, "Well, what do you guess?" After receiving the guesses of his unlearned colleagues, Judge Broadnax decided the question in his own way. If exceptions were taken by any litigant to any ruling upon a legal point arising on trial, the exception was instantly put in writing and signed by the three judges, and filed with the papers in the case.

In criminal cases, procedure was by presentment for misdemeanors, and by indictment in felony cases. The Grand Jury was not limited to twelve men only, but was of any number who might be summoned by the Sheriff for the purpose of serving, not less than sixteen, not more than twenty-five.

A presentment could be returned upon the knowledge of any two Grand Jurors, and without the signature of the Commonwealth Attorney. An indictment, however, was required to be signed by the Commonwealth Attorney, and indorsed "A True Bill" by the foreman of the Grand Jury.

In civil cases it was the practice (one which still prevails in some jurisdictions) of issuing process, summons or writ requiring the defendant to answer a declaration in common law cases (or a bill of complaint in equity or chancery cases) to be filed at some later date. Under this practice, the defendant frequently adjusted the case before the declaration or bill was filed. This fact makes it difficult in many cases to determine the exact matter in litigation from the old records. When a defendant was summoned by writ he was either actually or constructively in the custody of the Sheriff, and in certain cases was required to give bond for his appearance to answer the declaration or bill.

Juries in realactions, that is, involving real estate, consisted of 16 persons instead of 12 as at present. The first sitting of the Hopkins Circuit Court was held on June 22, 1807.

"Be it Remembered, that at the house of Daniel McGary in the Circuit of Hopkins on Monday, the 22nd of June, 1807; Pursuant to an Act of the General Assembly passed on the 9th day of December, one thousand eight hundred and six, establishing a Court in the Circuit afore said; and pursuant to an Act of the General Assembly entitled: An Act altering the times of holding certain Courts in this Commonwealth passed on the 27th day of December, one thousand eight hundred and six. A Court was held for said Circuit of Hopkins. Present the Honorable

Henry P. Broadnax, Esq."

The Court proceeded to appoint Samuel Woodson, Clerk of the Court for the Circuit aforesaid pro tem.

A commission was produced in the Court from his Excellency Christopher Greenup, Esq; Governor of the Commonwealth of Kentucky, bearing the date of December 29, 1806, directed to Thomas Prather and Vincent Fugate, Esquires; appointing them as assistant Judges of this Court, who produced a certificate of their qualification as such, in the words and figures following, to-wit: "Hopkins County; This day Thomas Prather and Vincent Fugate, named in the within commission came before me as Justices of the Peace for the said County and took oath of fidelity to the Commonwealth of Kentucky, to support the Constitution of the United States, and also the oath of assistant Judges of the Hopkins Circuit Court. Given under my hand and seal this 25th day of May, 1807.

RICHARD DAVIS (Seal)

Which certificate is ordered to be made of record.

Present the Honorable Thomas Prather, and Vincent Fugate, Esq.

Samuel Woodson produced in Court a certificate in words and figures following, to-wit: "State of Kentucky, Set. We do hereby certify that Samuel Woodson has been examined by our Clerk in our presence and under our direction and that we judge him to be well qualified to discharge the duties of Clerk to any Court, County or Circuit, with equal dignity within our Commonwealth. Given under our hands and seals at Frankfort, this 18th day of April, 1807.

FELIX GRUNDY (Seal)

ROBERT TRIMBLE (Seal)

NINIAN EDWARDS (Seal)

Attest: ACHILLES SNEED

Whereupon the Court proceeded to appoint the said Woodson, Clerk of the Court for the Hopkins Circuit, during good behavior, who took the oath to support the Constitution of the United States, the oath of fidelity to the Commonwealth of Kentucky and also the Oath of office, and with Alney McLean and Hugh Knox, Esquires; executed bond in the penalty of one thousand pounds conditioned as the law directs; a copy of which bond is ordered to be recorded and is in the words and figures following, to-wit:

"Know all men by these present, that we, Samuel Woodson, Alney McLean and Hugh Knox are held and firmly bound unto Christopher Greenup, Esq; Governor of Kentucky in the penal sum of 1000 pounds, the payment of which well and truly to be made to said Governor and his successors in office, we bind ourselves, our heirs, etc; jointly and severally by these present, sealed with our seals and dated this 22nd day of June, 1807.

The condition of this obligation is such that whereas the above bound Woodson hath this day been appointed Clerk of the Circuit Court for the Hopkins Circuit, by the Honorable Judges of said Court. If therefore the said Woodson shall duly and faithfully execute his said office, and not remove or carry or suffer to be carried or removed out of the Circuit aforesaid the records and papers of the said Court or any part thereof except in cases allowed by law, than this obligation to be void or else to remain in full force.

SAM WOODSON (Seal)

ALNEY McLEAN (Seal)

H. KNOX (Seal)

HENRY P. BRODNAX,
JUDGE.

Executed in the presence of the Court.

Thomas Towles was then appointed by the Court as Attorney for the Commonwealth. Christopher Tompkins, Alney McLean and John Campbell, sworn and admitted Attorneys, and Counselors-at-law.

The Grand Jury was sworn as follows: James Allen, Foreman; Abner Martin, Benjamin Wallace, John Dodge, John Mitchell, Wm. Hicklin, Lindza Martin, Richard Dodge, George Timmons, John Combs, Bounde Ashby, Caleb Hall, James Martin, Benjamin Davis, James Nisbet, William McGary, Noah Fox, William Berry, Ebenezer Bourland, William Ray, George Cronwell, Pearson Newson and Thomas Helm. They retired out of Court to consult on what presentments they might make, and after some time returned into Court, and finding nothing to present, were discharged.

Lawrence Stull and George Stull came into Court and made oath that Mary Stull, deceased, in her lifetime had obtained a certificate of the County Court of Henderson for 400 acres of land on Crab Orchard Fork of Pond River upon which she had settled, and that the same had descended to Matilda Stull, her orphan child who would be 7 years old on the 25th day of December next, which was ordered to be certified. This land lies in the neighborhood of the West Jellico Mine near Daniel Boone, and was the subject of much litigation in after years.

John Gordon consented that judgment might be entered against him for the costs of a suit for slander brought against him by Richard Foley, which was done accordingly. The following is the declaration in this case, which is a model of accurate and precise common law pleading: "HOIKINS COUNTY & CIRCUIT, Cts; Richard Foley complains of John Gordon of a plea of Trespass on the Case, for whereas he, the said Foley, is a good, true,

faithful and honest citizen and hath hitherto always demeaned and behaved himself, and as a good, true, faithful and honest citizen from the time of his nativity until the speaking, uttering and publishing of the several scandalous, falsely feigned, malicious, defamatory and scandalous words hereinafter mentioned, was reputed and esteemed among all worthy, faithful and honest citizens of this Commonwealth with whom he dealt or was conversant, or any wise acquainted or known, was never guilty of any theft, robbery, murder, frauds or stealing of any of his neighbors hogs or any such hurtful or odious crimes, not until the speaking, uttering and publishing of these false, feigned, scandalous, malicious and defamatory words hereinafter mentioned, ever suspected to be guilty of those crimes or any of them, and he, said Foley, by reason of his good name, fame, credit and reputation aforesaid, had deserved and obtained the good-will and good opinion of all his neighbors and all other good, honest, faithful and worthy citizens of this Commonwealth with whom he was conversant, or to whom he was any way known, nevertheless, he, the said Gordon, well knowing the premises to be false, but contriving maliciously and wickedly intending to injure, defame, slander and disgrace the said Foley, and to deprive him of his good name, fame, credit and reputation aforesaid, and to bring him, said Foley, into scandal, contempt, reproach and disgrace as well, among all his neighbors and acquaintances and other good and worthy citizens of this Commonwealth, and to cause him, said Foley, to be prosecuted and punished according to the Laws and Statutes of this Commonwealth, made and provided against all such hurtful and baneful crimes as aforesaid, on a day in July, 1807, at the State and in the County aforesaid, in a discourse which

the said Gordon then and there had with divers good citizens of this Commonwealth of, and concerning the said Foley, did falsely, wickedly and maliciously, and without any reasonable, probable cause, speak, utter and publish of and concerning the said Foley, in the presence and hearing of those citizens these false, feigned, malicious and scandalous words, to-wit: he, meaning the said Foley, had stolen his, meaning said Gordon's hogs. And the said Gordon, of his further propensive malice against him the said Foley, afterwards to-wit, on the same day and year aforesaid and at the County and State aforesaid, in a certain other discourse which the said Gordon then and there had and held, concerning the said Foley in the presence and hearing of divers other good, honest, and worthy citizens of this Commonwealth, did falsely, wickedly and scandalously and without any reasonable, probable cause whatever, speak, utter, publish and declare in the presence of and hearing of the aforesaid good citizens, these other false, feigned, malicious and scandalous and defamatory words, to-wit; he, and the said Gordon did say, that he, meaning said Foley, was a hog thief-- in consequence of the speaking, uttering, publishing and declaring of which said several false, scandalous, slanderous, malicious and defamatory words, so spoken, uttered, published and predicted as aforesaid by the said Gordon of the said Foley, he, the said Foley, saith that he is greatly hurt, injured, prejudiced and damnified in his hood name, fame, credit and reputation and hath sustained damage to the value of \$2000.00 and therefore he brings suit, etc;

Delaney for the Plaintiff

J. Doe and Richard Doe, P.Pros.

However, the first civil case to be filed was that of George Brown vs. John Clark, September, 1807, (William Featherston, Attorney for Plaintiff) to recover on a promissory note for \$20.87½ "payable in Beef, Pork, Cotton, Beeswax or Tallow delivered in Centerville at the market price."

James Wisbet sued William Davis September 29, 1807, upon an obligation dated December 20, 1804, to pay "20 silver dollars."

Meshach Llewellyn sued Elisha Turner and Thomas Copper on a promise to pay \$20.00, "to be discharged in cows, calfs, steers or heifers." William H. Wardlow & Company sued Elisha Turner upon an account, which to illustrate the methods of accounting of the times, is exhibited as follows:

Elisha Turner to William H. Wardlow & Company, Db.

To Account; Nov. 9, 1806.

I dozen Buttons...	2"	3"
I pack Paying Cards	4"	6"
	<hr/> 6"	<hr/> 9"

November 20, 1806

I Butcher Knife	1"	6"
I-2 Doz Flints, 2s	1"	
	<hr/> 2"	<hr/> 6"

Dec 25, 1806

I-2 Gallon Whiskey at 7-6	3"	9"
---------------------------	----	----

Feb, 22, 1807

3 I-2 yd. Manchester stuff	6"	33"
7-6		
I stick twist 9HKff @3-9	4"	6"
I Silk Hkff @10-6	10 "	6"
I Dozen Buttons at 10-6	6"	
	<hr/> 2"	<hr/> 7" 3"

To resume, following the disposition of the case of Foley vs. Gordon:

At this stage the Honorables Thomas Prather and Vincent Fugate, Esquires; absented themselves. Isham Browder and Arthur Slaton came into Court and made oath William Bourland, deceased, in his lifetime had settled and improved 400 acres on Pond River adjoining the John Garvey Military Survey, and said lands descended to his children, the youngest of whom would be three years of age on the 7th day of December, 1807.

Similarly Ebenezer Bourland and James Allen came into Court and made oath that Mark Laffoon in his lifetime held a title bond on Benjamin Wallace for 150 acres on Flat Creek on which he had resided. Said land had descended to his children, the youngest of whom would be 5 months old on the 25th day of June, 1807.

The Honorable Thomas Prather returned into Court and took his seat.

George Timmons was granted leave to remove his certificate on land in Elk Creek. The Honorable Vincent Fugate, Esq; returned to the Court. So ended the first term of the Hopkins Circuit Court.

The second term of the Court was held at the same place, at the home of Daniel McGary, on Monday, the 28th day of September, 1807. There were present the Honorable Henry P. Brodnax, Vincent Fugate and Thomas Prather, Esqrs.

The Sheriff reported that he had summoned to attend on this day, Richard Lee, John B. Ruby, Thomas Morton, James Tompkins, Shadrach Holder, Henry Neely, Silas McBee and Henry Groves as Grand Jurors, who being called, failed to attend.

It was accordingly ordered that they be summoned to show cause at the next term, if any they could, why they did not appear, and be fined for the contempt aforesaid.

William Featherston and Henry F. Delaney, licensed Attorneys, took the oath as Attorneys and Counsellors-at-law. The Court fixed and appointed Saturday preceeding the fourth Monday of each month as the rule day of the Court. In the case of William Hicklin against William Clark, James Marrow came into Court and undertook for the defendant that is he shall be cast in the said action, he shall pay and satisfy the condemnation of the Court or render his body to prison in execution of the same, or on his failure, that he, the said Marrow will do it for him. Thereupon said Marrow produced in said Court the body of the said defendant and was discharged and released from the undertaking and the said plaintiff would pay an order for its custody. Whereupon Caleb Hall came into Court and undertook for the defendants in the action aforesaid, that is he shall be case in the said action he shall pay and satisfy the condemnation of the Court or render his body to prison in execution of the same or on failure thereof, that he, the said Hall, will do it for him.

Benjamin Reynolds and Lewis Robertson came into Court and made oath that Edward Givens in his lifetime took up 200 acres of land on Otter Creek and resided thereon and the same descended to his children, the youngest of whom would be 13 years old on the 27th day of December, next.

James Davis and Nancy Davis, representatives of James Davis, Sr; deceased, came into Court and claimed the right to 96 acres of land on Kentucky Land Office Warrant #42 on Flat Creek,

adjoining Samuel Thomason's survey, and said claim was allowed.

Benjamin Davis also claimed the right to 41 acres adjoining James Davis, Sr; and R. Isham Browder and William Nixon came into Court and made oath that Bayliss Earle, deceased, in his lifetime obtained a certificate for 400 acres of land upon which he resided and that the same had descended to his children, the youngest of whom would be 12 years of age on the 2nd day of March, next and a certificate was ordered accordingly.

Absent the Honorable Vincent Fugate, Esqr.

Vincent Fugate and Isham Browder came into Court and made oath that Wilson Howell, deceased, had in his lifetime obtained from the Christian County Court a certificate for 250 acres of land and from the Henderson County Court another 200 acres of land upon which he resided at the time of his death, and the same descended unto his children, the youngest of whom would be eight years of age November, next.

Thomas Towles, Esqr; Attorney for the Commonwealth in this Court was allowed as a salary for the last three months, \$50.00 and Samuel Woodson as Clerk, \$15.00, for ex-office services in the same period; \$20.00. For the purpose of procuring order books for the use of the Court, \$4.12 and 45 mills for an order book already procured by him.

Absalom Ashby and Stephen Ashby made oath that Ennis Ashby in his lifetime had taken up 400 acres of land, and that his youngest child would be one year of age the last day of November, 1808.

Arbitration proceedings were authorized in the case of James Mathis against William Clark and Cuthbert Peyton, the

arbitrators to be Abner Martin, Peter Kuykendall, Eleazar Givens, Thomas Helm and Robert Robertson. Result: the arbitration failed to settle the case. In this case a writ was granted against Clark. William Baldwin and Joseph Clark became his sureties. Similar proceedings for arbitration were taken "to avoid a law suit" in matters affecting the estate of Thomas P. Earle, whose widow, Anna Earle, had married Solomon Summers. She was also administratrix of Bayliss Earle, deceased. Charles F. Wing, Isham Browder and Matthew Williams were the arbitrators, and a satisfactory award was made.

From a suit in chancery it appears that James Davis, Sr's; heirs were Harrison Davis, Polly, (wife of Pearson Newson) Benjamin, Robert, Sally, (wife of John Parker) Betsy, (wife of William R. McGary) Patsy, (wife of James Montgomery) and James Davis and Nancy Davis, children of James Davis, Jr; and Robert McGary's children, Hugh, Jr; Nancy and Harrison McGary. The Davis family and connections were early settlers and frequently mentioned in this record.

On and prior to March 22, 1782, the four brothers, Richard, Joseph, James and John Davis lived in Lincoln County, Virginia.

The children of Richard, James and Joseph have been mentioned; to what has been said may be added that Robert McGary married Delicia, daughter of James Davis in Mercer County, Ky; in 1790. Elizabeth married William R. McGary in 1799.

While still in Virginia, James Davis bought of Thomas Clark half of a thousand acre tract of land on Flat Creek, a branch of the Licking in Montgomery County, (then Clark).

Richard Davis had bought of John Bradley, 400 acres of land on Dix river, in Mercer County.

On March 22, 1782, James sold his Montgomery County land to Richard, receiving 200 acres of Richard's Mercer county land, certain live stock and some money, which was subsequently paid at Gordon's Station in Mercer county, the home of Joseph Davis who had married Captain John Gordon's widow, Elizabeth Grayson Gordon in 1783.

James moved to the Dix river tract in Mercer county in the fall of 1781, and settled there with his family. The place was one and a half miles from his brother Joseph's residence. James resided there 15 years, and in the years 1790-2-3 he built a stone house 20x30 in the clear, one story with an underground passage and kitchen. He was a house carpenter and joiner by trade, and he and his sons, Harrison and James, Jr; sawed the scuttlings, made the shingles, and constructed the woodwork. They also worked at the building trade in Harrodsburg in 1792.

In 1795, he left Mercer county, removing to Montgomery, where he stayed two years, coming thence to Henderson County, (now Hopkins) in 1798. His brother Joseph and his children and step-children, the Gordons, had preceded him by one year, having removed from Mercer to Hopkins County (then Christian) in 1797.

James Davis at one time was worth 12 or 13 hundred pounds, when he came to the Green river country was still worth \$2500.00. Richard Davis also removed from Lincoln County, Va; to Mercer County, Ky; and thence to Henderson County, (now Hopkins).

He was never able to get possession of the Montgomery County land, and finally lost whatever title he had in a law suit in the Montgomery Circuit Court. (1808)

Daniel McGary lived in the neighborhood of this land in Montgomery until 1806, when he came to Henderson (now Hopkins County). James Davis also lived in Montgomery in 1794, and visited there by John Gordon in the fall of that year. James Davis died in May, 1808, while on his return from Louisville to Madisonville.

Richard Davis sued James Davis' children on the breach of warranty of title to the Montgomery county land, and recovered \$1,670.83 damages to be paid by the children in the proportion in which they had received transfers of property from their Father. (Hopkins Circuit Court, 1813).

Linza Martin was one of their neighbors in Mercer County and worked with James Davis and his sons.

The legal fiction and form as to parties in an effectment suit was observed as in the case of John Goodtitle, upon the demise of John Gray against John Doe, William Wells being admitted as defendant in the place of John Doe.

This fiction originated in the English Common Law which provided no direct means of trying the title of land, but did allow a landlord to sue another tenant or an intruder to recover possession and rentals. The practice was for the claimant to assert that he was the landlord of John Goodtitle or Richard Doe or some other wholly fictitious tenant, in a suit against John Doe, or other fictitious tenant or intruder, giving notice to the real person actually in possession of the land, who must then either be dispossessed or come in, admit the lease and ouster, and ask to be substituted as a defendant in the room instead of John Doe.

This practice was done away with in 1852. In this case, an order of survey to the County Surveyor was entered directing the land to be surveyed, and "it is further ordered that the Sheriff of Hopkins County attended the said Surveyor to repel force should any be offered."

Profane swearers were often presented by the Grand Jury, Captain Robert Robertson, William Allen, William Rhea, Caleb Hall, Senator Daniel Ashby, James Brooks, Richard Baker, Davis Green, in two cases each. John Edwards, Jacob Conner, Andrew Bratton, John Gordon, Peter Crum, Moses Brown, Morton Mauding, Isaac Coffman, James Clayton, John Mott and Benjamin Petties (Pettus?) were like offenders.

Senator Ashby comes in Court and "says he cannot gainsay the presentment aforesaid against him in manner and form as the same is found against him, but acknowledges the same." He was accordingly fined 5 shillings.

Cuthbery Peyton, who had a great deal of litigation both civil and criminal, was presented twice for profane swearing and fined, not only this, but once, in the august presence of the court, he swore an oath, and, for this contempt, was fined 5 shillings upon the spot. No defense was made to any of these presentments, and fines of five shillings per oath were assessed.

On an occasion after his first offense, Senator Ashby appeared at the bar and informed the Court that he had been guilty of swearing profanely, and thereupon a fine of five shillings was assessed by the Court and paid over at the Clerk's table.

John Gray, of the Livingston bar, Edward Butner and John Gordon, in the same manner, came in Court on separate occasions

and voluntarily admitted the offense of profanity, and were fined five shillings per oath. Daniel Fox was presented for a like offense, in these terms:

Commonwealth of Kentucky, Hopkins County & Circuit Courts.

September term, one thousand eight hundred and eight.

The Grand Jurors for the body of the County and Circuit aforesaid on their oaths present Daniel Fox, Sr. late of Hopkins County, yeoman, for profanely swearing an oath (to-wit) "G damn the Grand Jury" on the first day of August 1808, at Madisonville in the County and Circuit aforesaid contrary to the form of the Statute in such case made and provided against the peace and dignity of the Commonwealth.

Information given by Stephen Timmons and Samuel Meredith both of the Grand Jury of the County and Circuit aforesaid.

James Nisbet, Foreman.

In the temporary intensity of his sentiment, Yeoman Fox must have deemed his imprecation to amount to true wit, defined by the poet to be the expression of:

"What oft was felt

But ne'er so well expressed."

At any rate, in his cooler moments, he failed to appear, and on his default was assessed a fine of five shillings. Later, he appeared as a informing witness against Abner Martin on a like charge. Profanity was one of the besetting sins of the time. The first indictment returned in the Henderson quarter session, 1799, was against Isaac Dunn, minor, for this offense. General Samuel Hopkins Himself, in 1800, paid a fine for profanity. So did Andrew Roman, the sheriff of Henderson; and even Circuit Judge Henry P. Brodnax and Commonwealth Attorney, William

Featherston, in April, 1806, were indicted for the like.

I may be noted that in all indictments it was required that the quality of the parties should be specified as "gentlemen", "esquire", "yeoman", "farmer", "tanner", "shoemaker" and the like. This was required by the Statute of Additions (1 Henry V. C. 5-AD, page 1413.) requiring the "estate, degree of mastery", of certain defendants to be stated by the writ, imported into our law, but finally held to be non-essential in 1855. (Commonwealth vs. Rucker; 14 Ben Monree, 184.)

A yeoman was of the chief of the commonalty, ranking tradesmen, artificers and laborers, and having free land of a value of forty shillings by the year, qualified to serve on juries, and legalis homo. (1 Blackstone Commentaries, 6, 406.)

Robert Brown, his inhibitions and repressions being lessened by his potations, had the temerity to come into the presence of Judge Brodnax, in open Court, and it being seen that he was drunk, the Judge summarily fined him five shillings.

Linor Branson was indicted for not properly working the roads of which he was surveyor, nolle prosequi, was entered:-- William Asher, James Clarke and Hobson Brown were dismissed on similar charges.

Drunkenness was known as a public offense even in those good old times, John Simms (who was discharged from the Grand Jury of which he was a member, in order to be presented), Samuel McKeely, Captain Robert Robertson, Jacob Conner, Hohn Gordon, William Allen and Scarlet Nixon, were among those who were presented and paid fines for over-indulgence in intoxicating liquors.

Jurors who failed to report for duty were summoned for con-

tempt, Richard Lee, John B. Ruby, Thomas Morton, Henry Neely, Silas McBee, Henry Groves and Martin Hewlett. Some were exonerated, others fined \$1.00 for contempt.

William Noel was twice indicted (1808) for selling intoxicating liquor without license--a pioneer of this line. He was fined \$10.00 in one case, the other was dismissed. John Stull faced a slander charge and was fined three pounds.

Cuthbert Peyton was indicted for assault upon William Baldwin at James Clark's house on Tradewater, September 6, 1807; the jury, of which Isham Browder was foreman, fixed his fine at five pounds, four profane oaths upon this occasion cost him five shillings for one, the charge for the other three being dismissed. The charge for three more oaths sworn near Captain Robert Robertson's home later, reported by Eleazer Givens and William Henry, was Dismissed. Again with Zachariah Wade, he was presented for an affray, they "assembling in a war-like manner and fighting each other to the great terror of the good citizens of the county." Probably it was more to the delight of the good people. Robert Chisney was indicted for an assault on William Bird. James Baker was found not guilty of stabbing Andrew Philips at the house of Meshach Llewellyn, this by a jury of which John Mott was foreman.

John Gordon, after a legal battle raising technical issues of law, was fined one cent for assault and battery upon the person of Abner Martin. Martin was fined five shillings for swearing profanely on the occasion of the assault, and a like sum for profanity in which, being still sore from his beating, he permitted himself to indulge upon the following day.

A joint indictment for the affray against Gordon and Martin

for the same assault and battery, was dismissed. However, both combatants were put under bond to keep the peace. Caleb Hall was surety for John Gordon, and it was not long before a breach was alleged.

In one of his bibulous and frolicsome moods at a militia muster, he was pushed by Robert Davis while marching in ranks and the war started. Davis claimed Gordon had tripped him up while the evolutions were in progress, and that he was justified in shoving Gordon to make him get out of his way. Gordon employed Alney McLean, the great lawyer of the region and time, who lived at Greenville, a man of unusual personal attraction and manly beauty of face and person. He was later, (1862) Judge of Hopkins Circuit Court, a member of Congress, and commanded a company at New Orleans. They made a hard legal fight but Gordon was convicted, and bond forfeited, and \$100.00, the penalty thereof, adjudged against him and Caleb Hall, his surety.

Governor Charles Scott, for sundry good causes and considerations thereunto moving him, thought proper to and did fully and freely pardon and remit to John Gordon and Caleb Hall, his surety the sum of \$100.00 which they were adjudged to pay for the breach of the peace bond.

John Parker and William Rhea were indicted for an affray, John Dodge, James Wallace, Benjamin Curry, Robert Curry and Elijah Wallace were acquitted of an assault upon George Gordon.

Cuthbert Peyton and Zachariah Wade were indicted for an affray, as were Andrew Bratton and Thomas Wade, also Benjamin Stokes, John Orr and William Allen. A similar indictment against John Gordon and George Wright for fighting together to the terror of the good people was dismissed.

Andrew Bratton had a record for criminal violence in the Henderson Circuit Court.

John Menser and Rezin Porter were presented for vagrancy, such cases were referred to a justice of the Peace for investigation and action.

Let it be remembered that at that time, there were no inferior courts of criminal jurisdiction, and all public offenses came before the Circuit Court.

John Malin, Martin Hewlett, Edward Franklin, John Connor, Edward Dobyns, Henry Coffman, Abraham Landers and John Pearson, ruled for contempt in not attending for service as Grand Jurors, were discharged, but the excuse for James Karr, Shadrach Holder and James Thompkins were found insufficient and it was ordered that the said defendants "make to the Commonwealth their fines by the payment of one dollar."

No one was put in the stocks and pillory, or whipped at the whipping post, erected in the Courthouse yard by Alfred Hewlett under the order of the worshipful Justices dated April 25, 1808; that is, during the first few years.

There were no homicides in the first four years. There were few indictments for theft, none of the indictments for sexual offenses; were listed or known of.

As shown, the first grand jury empaneled, found nothing to present, the next eleven grand juries at as many terms of Court, returned in all, eighty-one indictments and presentments chiefly of the character above noted. There were no indictments or presentments at the June term, 1808, nor the September term, 1810.

The indictments resulted in only three convictions of felony. Only three prisoners in the first four years were confined in

the dungeon of the new jail, and but few civil debtors in the debtor's room.

An insolvent debtor taken in execution might be detained in jail, at the end of 20 days he could take the insolvent debtor's oath before two justices of the peace, and be discharged, but at any time could again be imprisoned by the same, or any other creditor for the same, or any other debt. (1 Littell Laws, 547). Imprisonment for debt in Kentucky was abolished (except for fraud, and in certain cases sounding in tort) by the Constitution of 1850, (Article 13, Section 19.)

Joshua Barnes, cidevant blacksmith, himself a debtor to many, and frequently sued, while Jailor in 1810, was sued by John P. Campbell for damages for suffering the escape of Samuel Duval, Duval was Campbell's debtor and whose body he had delivered to the jail by the sheriff. It appeared that Barnes put Duval in jail, locked the door and put the key in his pocket, not with standing which fact, Duval was seen later in the day, also on the succeeding day, loitering at Allen's blacksmith shop (formerly Barnes') within 40 yards of Barnes dwelling, also at a hatter's shop nearby, and the witnesses also said that the jail provided by the county was so insecure that escape therefrom was easily possible. The jury found their verdict for Barnes.

Another blacksmith who had troubles was John Pearson. The first suit for alimony is that of Elizabeth Pearson, (or Pearson) vs. John Pearson. "To the Honorable Judges of the Hopkins Circuit Court in chancery sitting. Humbly complaining, shewth unto your Honors, your oratrix Elizabeth Pearson, about the 6th of February,

1794; your oratrix intermarried with a certain John Pearson whom your oratrix prays may be made a defendant to this, her bill of complaint, with apt words to charge him, that she had continued to reside with the said John Pearson from that time until about the second day of april instant, during which time your Oratrix has had six children by the said John, the youngest of whom is about six years old, five of which are still living, during all of which time your Oratrix made the said John a good and faithful wife. Your oratrix lived with the said John and during the time they have improved a considerable property which your oratrix supposes and believes is worth twelve thousand dollars, consisting of land, negroes, stock, etc. Your oratrix further states to your Honors that shortly after your oratrix intermarried with the said John, he began to quarrel with and abuse your oratrix, and frequently had, without any just cause, beat her with his fists and whipped her with his hands until your oratrix would be black and blue and could scarcely walk, all which your oratrix was induced to bear and live with him rather than part from him and leave the children, until about the 1st of April instant, when the said John fell on your oratrix and beat, bruised, kicked her, burnt her face and threw liquor in your oratrix's eyes until she could scarcely see or move, when your oratrix on account of the cruel, inhuman, and barbarous treatment aforesaid, and for fear the said Defendant would take her live, was compelled to leave him.

Your oratrix further states she is afraid, and believes the said John will remove his effects out of this Commonwealth or so convey them away, that it will not be subject to the decree of this honorable court, unless prevented by the timely interposition of same. All which actings and doings of the said defendant are

contrary to equity and good conscience and can only be relieved in this honorable court when matters of this kind are properly cognizable - and relievable. May it please your honor to grant unto your Oratrix the Commonwealth's writ of subpoena directed to the said John, may he be compelled on his personal oath, true and perfect answers to makd to the matters and things herein contained in as full and perfect manner as if the same were herein again interogated, that he may particularly set forth and say whether your oratrix and the said defendant did not intermarry together as set forth, whether he has not frequently given her cruel, barbarous and inhuman treatment, whether he did not proceed to beat , and bruise, and throw whiskey in her face about the 2nd day of this instant-- what is the value of his property and what his property consists of, etc; and that your Honors will decree unto your oratrix such alimony as you may deem right, also grant unto your oratrix the commonwealth's writ of injunction and that the said Defendant may be compelled to give bond with sufficient security, not to remove his property out of the jurisdiction of this court and that the same may be forthcoming to the further relief in the premises as your Honors may think equitable and right, and your oratrix will ever prayetc."

McLean for Complainant
Hopkins County, SCT.

This day Elizabeth Pearson personally appeared before me William R. Weir, one of the Justices of thepeace in and for the County aforesaid, and made oath that the matters and things contained in the foregoing bill of complaint is true.

April 17, 1808

W. R. Weir, J.P.

Elizabeth Pearson

The complainant had judgement by default.

Perhaps it might not have been deemed amiss had Pearson temperately and moderately chastised the wife of his bosom with a "stick as large as his finger, but not larger than his thumb," a right then recognized by the courts of North Carolina. (State vs. Rhodes, Phill, L.P. 453.)

Sinah, a woman of color, sued William Berry for Trespass, Assault and Battery and False Imprisonment. The suit was dismissed by mutual consent. The declaration is lost from the record.

Alney McLean, of Greenville, John Gray and Henry F. Delaney, of Livingston, William Featherston, Thomas Towles, Benjamin W. Patton, of Christian Court House, Philip Thompson, Charles Henderson and Fidelio C. Sharp, the attorneys, all rode the Circuit with the judge but none lived in Madisonville.

Henry F. Delaney was the first Clerk of Caldwell County, and later became a minister of the Cumberland Presbyterian Church, and an advocate and lecturer for the temperance cause, and was known far and wide for his eloquence and zeal.

Patton later became a judge of the Court of Appeals. Sharp was later a Senator from Livingston County.

McLean twice represented the district in Congress. (1815-17, 1819-21.)

Judge Henry P. Brodnax was a Virginian and came to Kentucky in his youth. He lived in Logan County until his death in 1857, aged ninety. Miss Chapman Coleman in her "Life of John J. Crittenden," says: "Judge Brodnax was a stately-highlighted Virginian gentleman, who dressed in shorts, silk stockings and top boots. He had an exalted sense of the dignity of the Court and a great contempt for meanness, rascality, and low rowdyism."

Turn now to the County Court - Beginning with its session of November 23, 1807; also held at the home of Daniel McGary. Allowances were made for the guarding of Robert Orr, a prisoner detained before the completion of the new jail and whose case has heretofore been discussed. He was guarded by George Goodwin, Isaac Whyte, Harry Goodloe Thomas Williams, John Robertson, William H. well and William McGary at divers times at a per diem of 75¢.

Eli Bishop and Richard Pyburn produced four young wolf scalps and were allowed a bounty thereon of \$1.00 per scalp. James Prather Stephen Timmons, John Murphy and James Foley produced one young wolf scalp and one old wolf scalp each, and were allowed thereof. John Bone drew bounty of \$2.00 for one wolf scalp. (John Bone, by the way, was a pensioned soldier of the Revolution.)

John Gordon, County Surveyor, was allowed \$10.00 and Robert McGary, William Davis and Daniel Ashby were allowed \$3.00 each for laying off the town of Madisonville, likewise Abner Martin. For carrying the chain in laying off the town, William R. McGary and John Harmon were allowed three days each at \$1.00 per day.

The year's tithes amounted to \$634.50, having been collected by the Sheriff, David Wright, he was allowed his commission therefor at \$47.58, plus \$20.00 for ex officio services. These tithes were levied under the Act of March 1, 1797. They were levied upon all male persons of the age of 16 years and upward, and on all female slaves of the age of 16 years and upward, who were chargeable for defraying the levies made by the County Court.

The Court was required in the months of October and November annually to make up an account of all expenses incurred by said Court under authority of any law chargeable to the County, and the debts remaining unpaid stating therein the sums due, for what and to whom due, and all credits owing to the said County and having thus ascertained the balance, by deducting the sums due the county, and those who owed the county, the Justices proceeded to levy and assess on the titheable persons in their respective counties the amount of that balance in equal proportions.

Nicholas Hardin was exempt from paying tax on his slave Will, he being aged and infirm.

James Baker was sworn as a Deputy Sheriff. Asel Weir, on motion of John Gordon, Surveyor, was sworn as his Deputy.

At the next County Court, Russell F. Wilson was sworn as Deputy for Clerk Samuel Woodson.

Charles Henderson, Esquire, was admitted and took the oaths of an attorney and counsellor-at-law.

Thomas Prather registered his stock mark, a crop and under bit in each ear.

These stock marks were necessary for the identification of cattle running at large, especially hogs, which ran wild in the bottoms. It was customary for the owner to mark each litter with his registered stock mark, which made it possible for him to easily identify his property.

It was ordered that the Trustees of Madisonville proceed to sell the lots in the town on a credit of 12 months.

James Prather and Ann Earle registered their stock marks.

John Davis having recovered of Isham Talbot in Squire Adams Court for debt in the amount of three pounds, 3 shillings and 3 pence, the judgment was confirmed.

Isham Talbot was subsequently one of the leading men in Kentucky. He was born in Bedford County, Virginia (1773) and came to Mercer county at an early date, and was a brother of Edmund Talbott, surveyor of Henderson County and owned several tracts of land in Hopkins County. He removed to Frankfort, studied law and became famous for his eloquence at the bar, his patriotism, and political acumen, he represented Franklin County in the State Senate and served two terms as U.S. Senator for Kentucky.

At the sitting of January 25, 1808, at the house of Daniel McGary, Edward Orton and Ennis Ashby registered their stockmarks. John Davis was appointed surveyor of the road from Greasy Creek to Harrison Davis's, John Palmer surveyor of the road from Greasy Creek to James Thompkins, John Pierson surveyor of the road from James Thompkin's to said Pierson's shop to the county line. Henry Ashby was appointed Commissioner of the Tax.

An inspection was established on the lands of Stephen Ashby on Green River, William Bradford having agreed to find the "waits and scales" and cut the roads to said inspection.

The inspection of tobacco was required by Act of Feb 10, 1793; which prohibited any person from putting on board or receiving in any boat or vessel in order to be transported therein any tobacco not packed in hogsheads or casks, or from receiving the same in any hoghead or cask before the same shall have been inspected and reviewed, under penalty of 50

pounds for every hogshead, one moiety for the use of the informer, and other for the use of the commonwealth.

And if any servant or other person employed in navigating any such boat or other vessel, should connive at, or conceal the taking or receiving on board any tobacco in bulk or parcel as aforesaid; and if such servant or other person should be unable to pay the said sum, he or them, and every slave so employed, should, by order of such justice, receive on his bare back, 39 lashes, well laid on, and if such boat or other vessel be under the care and management of a servant who cannot pay and satisfy the fine so to be inflicted on the master or skipper offending as aforesaid, then such servant, and every other person employed under him, unable to pay the said penalty, who should be guilty of conniving at or concealing the taking on board tobacco in bulk or parcels as aforesaid, should, upon every complaint and proof thereof made to a justice of the peace, have and receive, by order of the said justice, 39 lashes, well laid on.

Various points of inspection were provided by the Act in Central and Eastern Ky; by an amendment of Dec. 12, 1799; an inspection was established at the Red Banks on the Ohio river, in the County of Henderson on the land of Henderson, ~~also on the banks of the Ohio~~, 100 and called by the name of Henderson, also one on the Ohio, 100 poles below the mouth of Highland Creek on the lands of Benjamin Berry, to be known and called by the name of Berry's.

By another act of Dec. 13, 1801; on the lands of Benjamin Garris, at his mill in the County of Muhlenberg, (near Free Henry Ford or the mouth of Drake's Creek.) Other inspections were provided on the lands of James Curren at the forks of Harrikan

in the County of Livingston, and nother on the lands of Robert Kirk on the mill branch of Harrican, to be called and known by the name of Kirkfield.

All tobacco exported from Hopkins County was required to pass through inspections at one of these places as a prerequisite to its being exported, prior to January 26, 1809; at which time, County Courts were visited with competent power to establish within their counties inspections of tobacco, halm and flour, not closer than 3 miles to any previously established inspection on the same side of the river or creek.

At the next term February 22, 1808; at the same place, John Orr, James Nisbet, William and Daniel McGary, and William Davis registered their stockmarks.

Solomon Silkwood was ordered to make an addition to the jail of one story, one floor, one sufficient door and lock, and steps and hand rail, and that he have one month to complete the work for which he was allowed \$25.00.

Barnabas Sisk was appointed Constable with Vincent Fugate as surety. At the next term Robert Hooker, John and Absolom Ashby, James Howell, Wm. Berry, Horatio Pidecock, Harry Goodloe, John Berry and Samuel McDaniel registered their stockmarks. Fidelio Sharp was sworn as an attorney-at-law.

On application of James Clark, a ferry was established on his land on Tradewater, he being the owner of the land on both sides of the river at the place, and Clark executed bond with John Dodge as surety. Clark was allowed to demand and receive for transportation at said ferry according to the following rates and no more:

Wagon, Coach, Chariot and Driver	37	5
Mare and Horse	12	5
4 Wheeled Chaise Phaeton and Driver	25	

Two wheeled Riding Carriage	6	2 $\frac{1}{2}$
Every Hogshead of Tobacco	6	2 $\frac{1}{2}$
Every Single Horse	6	2 $\frac{1}{2}$
Every Sheep, Goat, Hog or Lamb	1	0

William Gordon, Caleb Hall, John Dodge, Benjamin Wallace, were appointed to view a way for a road to be conducted from Madisonville to Peyton's Ford on Tradewater.

On motion of John Gordon, Esquire; surveyor of the county, William Gordon was sworn as his deputy. James Howell qualified as Administrator of William Howell, deceased, with Vincent Fugate as his surety; the appraisers of the estate to be George Timmons, Absolom Ashby, Linor Branson and Reuben Berry.

William Herrin came into Court and listed his property for taxation, "viz 200 acres of third rate land on Tradewater, entered and surveyed for Wm. Herrin, 120 acres of 3rd rate land on Tradewater entered and surveyed for James I. Bails. Sixty-nine acres of 3rd rate land on Tradewater entered and surveyed for John Herrin, one white over 21 years of age, 2 whites over 16 for fine and triple tax for not having listed the same with the Commissioner.

James Wallace was summoned to appear and "shew if anything for himself he hath or can say, why he may not be fined and triple taxed for failing to list his taxable property with the Commissioner of the Tax for this County for the year of 1807."

A license was granted to Presley Pritchett to keep a tavern at his home in Madisonville, it appearing to the Court that the said Pritchett is a person of good character and he executed bond with Alfred Hewlett as security conditioned as the law directs. This tavern was kept in a large log house then standing on the northwest corner of Main and Main cross Streets.

On April 25, 1808; Edward Earle was appointed Captain of the Patrolers in the following district, beginning at the old Ford on Drake's Creek along the old Salt Works trace to Greasy Creek, thence down Greasy to Tradewater, thence up Tradewater to the Christian line, thence along said line to the beginning, and that he patrol not less than twelve nor more than 36 houses in each month, William Gordon, Linza Martin and William Davis were appointed as his assistants.

Joseph Dunlap was appointed Captain of Patrol in the district north of that above described and allowed a maximum duty of 48 hours per month with Ransom Onion and John Robertson as his assistants.

The Court proceeded to fix the Tavern rates within this County as follows--to-wit:

For Wine per gallon	4 00
For French Brandy per gallon	4 00
For Rum per gallon	2 66
For Peach or Apple Brandy per half pint	12 ¹ / ₂
For Whiskey per half pint	12 ¹ / ₂
For Cider per quart	12 ¹ / ₂
For Lodging per night	12 ¹ / ₂
For Breakfast or Supper with good Tea or Coffee	25
For Dinner	25
For Horse at hay 12 hours	25
For pasturage 24 hours	12 ¹ / ₂
For Corn per gallon	12 ¹ / ₂
For Oats per gallon	12 ¹ / ₂

Alfred Hewlett was "requested to erect or cause to be erected on the public square in this county a good and sufficient stock, whipping post and pillory, to be completed by the next September term of the Hopkins Circuit Court and that he exhibit his account therefore."

It was ordered that the next meeting of the Court be held at the house of Joshua Barnes in Madisonville.

Daniel McGary had now built his brick house still standing

(Cardwell Street) and this probably accounted for the change in meeting place. Accordingly at the Court holden for the County of Hopkins at the house of Joshua Barnes in the Town of Madisonville on May 23, 1808; the routine business was taken up.

Solomon Silkwood was allowed the further term of four months or until the September term of the Circuit Court to complete the Court House. The order allowing him \$25.00 for addition to the jail was rescinded.

On application of Eleazar Givens, William Stewart, William Owens, Robert Robertson, and John Robertson, were directed to view a way for a road to be constructed from Anderson Ferry to the road from the Red Banks to Centreville at, or near Harpe's Head and report to this Court, etc.

Henderson town was still the Red Banks, Centreville was then the County seat of Livingston County, (Eddyville having formerly been the County seat.)

The town of Centreville is no more: The Court House of Livingston County then stood less than a mile south of the present railway station of Crayne in Crittenden County, Ky.; it was abandoned as the County seat in favor of Smithland in 1810, and nothing now marks the site of Centreville.

A road from Madisonville of the Island Ford was to be viewed. Letter of administration of the estate of Ennis Ashby were granted to Stephen Ashby. Appraisers were Thomas Prather, George Ashby, Benjamin Stokes and Linor Branson.

It will be remembered that Ennis Ashby was the father of the first Anglo-Saxon child born in Hopkins County.

Thomas Adams, Esquire; was authorized and appointed to solemnize the the rites of matrimony.

The first session of the Court to be held at the new Court House sat on July 25, 1808. Jesse Ashby and Timothy Sisk, also Archibald Bourland registered their stockmarks. The road from Anderson's Ferry to the confluence of Bull and Clover Creeks was established with Eleazar Givens as surveyor.

The island Ford Road was established. Surveyors for the various roads were appointed. Ebenezer Bourland, William Davis and Thomas Morton were appointed inspectors for the Island Ford road. The Peyton's Ford Road was established. Daniel McGary Joshua Barnes, Andrew Bell and Spill C. Brown were recommended to the Governor for appointment as Justice of the Peace.

Richard Davis and Thomas Anderson were appointed Judges, and Samuel Woodson, Clerk, of the ensuing election.

Daniel McGary reported that Robert Orr had completed the erection of a stray pound on the public square and same was received by the court and the Sheriff was ordered to pay said Orr therefore out of the present despoition, (if so much there may be in his hands) the sum of \$12.00/

Noah Fox resigned as Constable and Edward H. Earle was appointed and qualified to that office.

On application of Richard Dodge, William Asher and Archibald Bourland were appointed viewers to view a way for a road to be constructed from Tradewater to the lower Ford on Drakes Creek.

James Fox, sr.; Gabriel Loving, and Ennoch Berry being decrepit, aged and infirm, were exempted from paying County tax.

William Bishop being overcharged one dollar and fifty cents on the levy for the present year, said amount was remitted to him.

William Howl was appointed to take charge of the Court House and stray pound, and required to provide a lock and key for the

pound and bring in his account for the same.

Edward H. Earle was sworn as deputy Sheriff, and Hohn Harvey was appointed and qualified as a Constable with Edmund Slaton and Presley Pritchett as his sureties.

Thomas Adams was appointed guardian to Phereby, Rachel and Polly Parker, orphans of Daniel Parker, deceased.

On October 24, 1808; Daniel McGary and Andrew Bell qualified as Justices of the Peace.

Samuel Casey, Esquire; was sworn as Clerk, Samuel Woodson's deputy. Hannah Bishop came into Court and made oath that William Bishop is the eldest son now living of Nicholas Bishop, who departed this life on August 29, 1786; in the state of South Carolina.

The report of the division of lands of Robert Hollingsworth deceased, was approved and ordered recorded.

Richard Davis and Russell Weir were recommended to the Governor as candidates for appointment as Sheriff. Joseph Berry resigned as Justice. John Crownover and Reuben Owen were recommended as suitable candidates, one to be appointed as his successor.

At the November term, 1808; William Noel was granted a license to keep a Tavern and gave bond with Holomon Silkwood as surety. He succeeded Presley Pritchett in the operation of the Tavern on the site where Pate's Drug Store or the Earle building, Hopkins County Bank Building, and the John Leland Jackson building, now stand. With regard to Tavern keeping, the law at this time (1 Littell's Laws, Page 193) required that a Tavern keeper should constantly find and provide in his tavern, good, wholesome, clean lodgings, and diet for travelers, and stableage, provender or

pasturage for horses, for the term of one year from the date hereof; and should not "suffer any person to tipple or drink more than is necessary; at any time suffer any disorderly or scandalous behavior to be practiced in his house, with his privy or consent."

"If any person should presume to keep a tippling-house, or sell by retail any wine, beer, brandy, cider, whisdey, rum or any other spiritous liquors either directly or indirectly in any house, booth, arbon, stall, boat, or in any other place whatever without a license first obtained as aforesaid, he or she so offending, shall for every such offense, forfeit any pay 3 pounds recoverable by order of court on a presentment of a grand jury, or by a warrant of a justice of the peace in the county where the offense is committed, on information any person gives."

But it was provided that merchants might retail liquors in their stores, and other persons might sell liquors made from the production of their own farms, provided it was not sold to be drunk in their store or house, and that such merchant or other person shall not sell or receive pay for any smaller quantity than one quart to any person.

Under these laws not only was drunkenness rife, but the law was constantly violated by profit seekers, and the growing abuses called constantly for more and more stringent laws.

George Gill, Silas McBee, Abraham Landers, Wm. Stewart and Russell Weir were appointed to view a way for a road to be made from Madisonville to the county line in a direction of the Shawneetown on the Ohio.

Silas McBee was the organizer of the pursuit of Big and Little Harpe, which resulted in the death of Big Harpe, and Par-

ticipated in the reward for his capture. He was a Justice of the Peace of Henderson County and was designated by the Henderson County Court to solemnize the rights of matrimony. Having on one occasion received a license requesting that the ceremony be conducted according to the usages of the Cumberland Presbyterian Church, he turned it in the following manner; "I have joined the within couple according to the rights and ceremonies of the Cumberland Church, I certify, but I say now, I am not a member of that church."

After Hopkins was cut off of Henderson, Squire McBee continued for several years to be a leader in the community. Squire McBee was born in 1765 in North Carolina and when a youth fought at the Battle of King's Mountain. He removed from Hopkins County to Alabama and became a member of the Legislature, he afterwards removed to Pontotoc County, Mississippi, where he died on his plantation in 1845, at the age of 80. One of his daughters married Governor L. M. Tucker of Mississippi and another married Thomas H. Williams, U.S. Senator from Mississippi.

Willis Morgan and John Gordon's proposal to locate Seminary lands for Hopkins County to the extent of 6000 acres of which they should have for their services 2000th acres, was accepted by the court. Presley Pritchett was appointed Captain of the Patrolers of the County with Alfred Hewlett as his assistant, they to patrol at least 12 hours in each month without expense to the county.

At a called session of Court, December 10, 1809; John Robertson, a person charged with having stolen Zachariah Wade's sorrel mare, was sent to the bar in the custody of the jailor, and heard in his defense and held to answer therefor, in Circuit

court on \$200.00 bond.

Fielding Winlock, an attorney of Shelbyville, Ky; was sworn as an attorney.

Richard Davis qualified as Sheriff, and Eleazar Givens and Samuel Whitesides were recommended to the Governor as proper persons to be appointed Justices; also William Russell Weir, and Thomas Anderson.

The Trustees of Madisonville were allowed \$24.00 for their services in laying off the town, selling lots, and all other services.

Isham Brainerd made oath that he believes that certificate No. 394 granted by the Court Commissioners on the 14th day of August, 1798; for 200 acres of second rate land lying on the north side of Elk Creek in Christian County, Ky; was lost by Ennis Ashby, deceased, in the Barrens between Hatford and Elizabeth. Which is ordered certified.

The county levy was based on items amounting to \$302.28 $\frac{1}{2}$ which was assessed against 604 titheables at 50¢ each.

The delinquent taxes for the past year totaled \$20,463 $\frac{1}{4}$.

At the December term, 1810; Richard Davis resigned as sheriff and William Russell Weir produced his commission as sheriff and qualified with Silas McBee, Daniel Ashby, Caleb Hall and John Stull as his sureties in the penal sum of \$1500.00.

Sam Woodson was appointed Commissioner to see to the working of the roads and streets in Madisonville.

Isaac Coffman was fined 15 shillings for profane oaths sworn in the presence of the Court.

The county levy upon 652 titheables of the county, (November term, 1811) amounted to \$326.00. The delinquents amounted to \$2.29 $\frac{1}{2}$.

The Justices at the end of 1811 were Isham Browder, William Gordon, William Cardwell, Eleazar Wivens, Thomas Adams and James Edmiston. Isaac Whyte had just resigned and Franklin Owen and Benjamin Berry had been recommended as suitable persons to be appointed.

The descriptions given of the routes or locations of roads proposed and road districts established are difficult to follow as no surveys were made or plates filed. Only general descriptions well known at the time were used, as "from Steuben's Lick to Lander's Mill," or "Steuben's Lick to Anderson's Ferry on Tradewater and the like. Mr Otto a. Rothert in his History of Muhlenberg, (page 13) refers to the tradition of an old trace which ran from Hartford across Green River, passing two miles south of Central City, through Greenville, crossing Pond River at Free Henry Ford, and connecting with the road from Russellville to the Highland Lick in Henderson County. This trace became Free Henry Ford Road entering the old Hopkinsville road three and a half miles south of Madisonville.

The main road of the county was the Russellville and Highland Lick trace crossing Drake's creek at Mannington, passing near Daniel Boone and continuing over Sisk Ridge, by Buffalo Wallow (head of Richland Creek) and Fort Ridge to Steuben's Lick, (Manitou) and thence northward through Vanderburgh to Highland Lick, and the Red Banks. (Henderson)

All other roads running to the various mills and ferries on Pond and Tradewater, were tributaries to it. The main road was in general good road beaten out by the bison, deer, bear, and the Indians, seeking the salt afforded by the various mineral springs along the way, a necessity to their life. It was found by the

surveyors locating the first roads, and the engineers locating the first railroads, that it was desirable when possible to allow these traces in establishing their lines, as heavy animals in their migrations avoided steep grades ascending and descending, possible considering the factor of grade.

These traces beaten out by wild animals were instinctively followed by the Indians, and the race of men who preceded them, as were the minor trails and paths leading into the main traces, and in this way most of the roads we have today follow the animal made paths. This accounts for the many crooks and turns in our old roads. These became land lines, in time, and when the permanent highways were constructed, in most cases the old routes were followed to avoid the expense of procuring new rights of way on more direct lines, and the heavier expense of grading incident to the revision of old lines.

Testamentary dispositions reflect the spirit of the times, the moral and mental outlook and characteristics, and the thrift, vicissitudes, and surroundings of a people--hence, it is deemed of interest to offer a few examples of early wills, by which pioneers of Hopkins county disposed of their worldly possessions.

The death of William Bourland was the first to occur after the organization of the county. This is his last will and testament.

In the name of God. Amen. I, William Bourland, being very weak in body, but perfect in mind and memory, and calling to mind the mortality of the body, do ordain this my last will and Testament---and first of all I recommend my Soul to God, to God that give it, and ask my body to be buried in a decent Christian

manner at the discretion of my executore-- I give and bequeath unto Martha, my well beloved wife, all my goods and Chattel lands and after the payment of all my lawful debts, to be disposed of at her pleasure during her life or widowhood, then that remains at her death or marriage to be equally divided among my children, if she survive the division of the property, she shall have her third. And I also choose and ordain Isham Browder and John Bourland to be my executors. Given under my hand and seal this 2nd day of January, 1800.

William Bourland (Seal)
Wm. Davis, Martha Mosely
Hopkins Set. July County Court
1807.

This last willand testament of William Bourland, deceased, was proven by the oath of William Davis as subscribing witness thereto. A copy attest: Samuel Woodson, Clerk.

After the battle of Point Pleasant, Oct. 10, 1774; two soldiers, Wm. Bourland, Stafford County, Va; and John Ashby, Fauquier County, Va; visited Kentucky in a pirogue, passing down the Ohio and Mississippi to New Orleans returning by sea to Virginia.

The name, signifying "bowery" or "land or dwelling place of tillers of the soil," is variously spelled in our long ago records, Boulland, Boreland, or Bowland, but Bourland is correct.

Mark Laffoon's will is as follows:

I, Mark Laffoon, in the State of Kentucky and Henderson County, Planter, being very sick, weak in body but imperfect mind and memory thanks be God and calling to mind that it is appointed for all man wonst to die, do make this my last will and Testament-- First of all I recommend my soul to God that give it, and my body to be buried a decent Christian manner, at the discretion of my Executors, doubting nothing but at the general resurrection I

shall receive the same again.

Secondly, I give and bequeath to my wife Sally Laffoon, all my household goods, my lands and perishable property during the term of her widowhood, unless the children should come of age or marry in the time of her widowhood, then the property to be equally divided and she to have her third, or if she should marry, then the property to be divided and she the third, and I do hereby appoint, constitute and ordain my trusty friends, John and Ebenezer Bourland, my executors and I do hereby disown all wills or bequeaths whatever, whereunto I have set my hand and seal this 13th day of May, 1806.

his
Mark Laffoon (Seal)

Teste: Noah Fox
Rutherford Laffon
Hopkins Sct. July County Court, 1807

This instrument of writing was proven to be the last will and testament of Mark Laffon, deceased, by the oath of Noah Fox, a subscribing witness thereto, and was ordered to be certified.

A copy attest: Samuel Woodson, Clerk.

Mark, Rutherford and John B. Laffon and their sister, Sally, wife of John Malin, and the mother of Richard, George, William, John H. and Doctor Thomas R. Finley came to Hopkins County from North Carolina in 1801. The name is of French origin, the original form being La Fon. It is occasionally met with elsewhere in the original form.

John Bourland was a Baptist minister from the first settlement for many years, preaching the gospel and joining many couples in wedlock, and at the same time carrying on his farming operations. He stood high in the affection and regard of his neighbors, as may be evidenced by his appointment as executor in various wills and other responsibilities imposed upon him.

John Bourland was the father of Slaton Bourland and the ancestor of Mrs. Jerry D. Shain, and of the physicians of his name practicing in Muhlenberg county.

John B. Laffoon was the father of Pélk Laffoon, Ben Laffoon, (father of B.E. Laffoon) and of John R. Laffoon, a father to Judge Ruby Laffoon, Mrs. Joe W. Rash and Mrs. James H. Young.

LAST WILL OF FREDERICK DOBYNS.

It is my will and desire that all my ~~just~~ debts first and foremost be paid. I lend unto my loving wife, all my goods and chattels both real and personal. In case she should marry during her widowhood, I give unto her half of all my estate above mentioned, and at her death to be divided amonst all seven children, Nancy, Lea, Elizabeth, Hereat, Sallie Walker, Randolph, and John Fred. It is my only desire that after the death of my loving wife, Lucy Dobyns, my negro man, Charles, shall be set free and from under the control of any person, and in case of old age or infirmity, he shall be maintained out of my own property. I ~~nominate~~, constitute, and appoint my loving wife, Lucy Dobyns, my sole executrix to this my last will and Testament, requesting my brother, Edward Dobyns, to give all the assistance he can in negotiating my wife and family.

In witness whereof I set my hand and seal this 12th day of December, eighteen hundred and seven.

Frederick Dobyns

Attest: Joseph Davis, Nancy Mott, W. F. Wildon.

Hopkins Sct. August County Court, 1808.

The foregoing instrument of writing was produced in Court and proven to be the last will and Testament of Frederick Dobyns, deceased, by the oath of James Davis, Nancy Mott, and W.F.Weldon, subscribing witnesses thereto, and ordered to be recorded.

A copy attest: Samuel Woodson, Clerk

Frederick Dobyms came to Hopkins County from Mason County, Kentucky; and thence from Frederick County, Va. He married Lucy Mott, daughter of Randolph Mott and his wife, Nancy Walker of Northumberland County, Virginia, in 1794. John Mott, a son of Randolph Mott, and Nancy Mott Jones, who was the second wife of Thomas Helm Finley, were among the first comers to Hopkins County. Sally Ann Walker Dobyms, daughter of Frederick Dobyms and Lucy Mott, was the wife of Ambrose Grayson Gordon, and the mother of late William L. Gordon.

It will be noted that in these first wills, as in many later ones, the testator limited the devise of his money to his wife to her use during her widowhood. These provisions reflect a social condition, wherein it was the almost universal custom, of necessity, for widows to marry speedily, and in the absence of some limitation thereon, hence these provisions in reflect a social condition, wherein it was the almost universal custom, of necessity, for widows to marry speedily, and where the husband took her estate absolutely at marriage, and in the absence of some limitation thereon, hence these provisions in the wills.

An instance of the proff of a nuncupative will is that of William Nixon as follows: November the 11th, 1808. This day Martha Mosely and Anne Earle personally made oath before me, Isham Browder, that on the seventh of this instant William Nixon called them to him in a very low estate, but perfectly in his senses, and said that if he should die he wished that all his wanted his brother Scarlet Nixon to have, given under my hand and seal this day and date above written.

Isham Browder, J.P.

John Simms leaves his son, Starling Simms, his gun and shot pouch, and provides that Starling is "to have good English learning." His personal estate was valued at \$1141.00 and included the gun and shot pouch valued at \$12.00, one side saddle, surcingle and bridle, \$7.00, one pair of saddle wallets, 50¢, one bed cord, 37¢, one keg of gun powder and some lead, \$1.16, one tunlet, 50¢.

The touch of was if felt: Richard Davis provides for his son, William, "if he shall return from the campaign in which he is at present engaged." Gilbert Christian leaves property to his son, Benjamin, "if he ever comes home."

Here we have the inventory and appraisal of the estate of Vincent Fugate, an assistant judge of the Hopkins Circuit Court; and a man of means and prominence in the community.

April 16, 1810.

To one light bay horse appraised to \$50.00

To one negro woman, Peggy and her children, Appraised \$600.00

To one saddle and harness, bridle, appraised \$28.00

To one small calf skin, appraised \$1.25

To one set knives and forks, appraised at \$2.00

To one old pair boots, appraised \$2.60

April 21, 1810

A list of the appraisements of the Vincent Fugate deed appraised by William Noel, Horatio Pidcock, James Nisbet, Absalom Ashby on the following property to-wit:

To one negro woman Gin, and her child, appraised to \$375.00

To one negro girl named Poll appraised to \$10.00

To one cow and yearling appraised to \$12.00

To feather bed and furniture, appraised to \$35.00, and so on down the list. This inventory and appraisement of the estate of Vincent Fugate was exhibited in Court and ordered to be recorded.

Such was the excessive rarity of the "humber reler" that was the emblem of wealth, rank and pomp, small wonder Messrs. Noel, Pidcock, Nesbet and Ashby fell when they came to dread grips with its orthography. The "Humber reler" was included in the list, it must mean umbrella.

Daniel Menser was a miller and a distiller. In the inventory of his estate is found:

One 79 gallon still	\$130.00
One small still and Flakestand,	\$ 45.50
One large kettle,	\$ 7.00
One screw plate stove,	\$ 30.00
One barrel,	\$.37 ¹ / ₂

A quantity of seed cotton was valued at \$2.00. His is the first record of a stove in Hopkins County. His will provides, "that the big still is to stay on the land as long as my wife lives, and that the mill and a hundred and fifty acres of land and one small still, the boys is to have."

Jane Guyler, also left a still and barrels. Among other articles she left "two blowing horns."

Samuel Guyler, father-in-law of John Leeper, (Big Harpe's captor) left the first "Glass Chiny Ware" to the value of \$4.75. Among other articles "one candlestick and candle moles," one pair of iron fetters," "five barrels and a keg", "one tole dish, and a riddle." (1810)

John Jackson left the first beehive, valued at \$2.00, and some "Delvep ware."

James Karr, formerly of Robertson County, Tennessee; among other items had "2 sets of frizens, 2 books, 2 water vessels and 2 cealers. (A "cealer " or more properly, "keeler" was a shallow tub used for washing dishes and the like.)

William Graham had "6 Delph Plates, a Bible and sundry other books."

Richard Davis' considerable estate included a "spice mortar, arm chair, and one third interest in a cross cut saw, 7 bottles, 3 pitchers, 2 punch bowls, one lot of window glass, one desk, and one large Bible."

Benjamin Shoemate left 288 feet of poplar plank valued at \$3.00, 400 feet of oak plank valued at \$6.00, one oat stalk and Bible, and 10 barrels of corn at \$1.38 per barrel.

Joseph Graham had along with the usual possessions, the first lamp, the first pair of scissors, the first "crewets", a sword and pistol, a bear skin and a dictionary, 20 pounds of swingled flax, a pocket book and a cart.

John Berry's trade was obscure as he left in addition to his Bible and Dictionary, rifle gun and takings, bricklayer and plasterer trowels, a set of hatter's tools, and a lot of logwood and birdegrees, one stud horse called "Friendship", one candlestick and sniffers.

William Alexander's possessions included 5 tin knives and forks, a Bible valued at \$2.50, "Gun mountains" and one apple nursery.

Thomas Browder had a weaver's loom, two looking glasses, razor, Bible, and two hymn books, \$4.00 in value for the books.

Shaving was in vogue. Nearly every inventory shows the possession of one or more razors and cases.

James Davis, jr; must be credited with the first pair of suspenders. (1813)

Joseph Henderson (1814) the shoemaker, left a large estate and among the items are "ten buttons and two buckles, 50¢." Also,
 One belt and buckle, \$1.12;
 One gold ring and nutmeg fritter, \$1.50
 One Bible, \$1.00
 One Dictionary, 75¢
 One History, Testament and Pamphlet, 50¢
 One silk dress, \$20.00
 Seven Wescoats and two handkerchiefs, \$4.50
 Four Shirts, \$1.87½
 One hunting shirt, 50¢
 One pair of socks, 75¢
 One pair of stockings and one pair of socks, \$1.25

What it cost to keep and educate a young lady whose fortune was in the hands of a guardian appears. Andrew M. Bell, a substantial and prominent citizen of the Tradewater section, was guardian for the Misses Knox, and made yearly settlements during their minority. Miss Lydia Knox is charged for the years 1808-9 with the following:

Andrew Bell, Cd. of Lydia Knox for 1 year, August 28, 1808-9

2 yards of Lutestring	\$7.50
1 pair of silk Gloves	\$1.25
1 pair of Morocco Slippers	
4½ yards of Calico	
2½ yards of Riband and one hair comb	\$1.00
1½ yards of Muslin	\$12½
½ yard of book muslin	.50¢

To charge for carriage of above from Russellville, \$1.25

3 months schooling, \$1.62 $\frac{1}{2}$

The next year she was charged with board and lodging, \$20.00

Muslin dress, \$3.75

One shawl, 50¢

1 pair cotton cards, \$1.75

1 $\frac{1}{2}$ yards of lace, 78¢

2 combs, 40¢

1 pair of stockings, \$1.75

2 yards of Ribbon, 18¢

1 saddle, \$22.00

1 pair of shoes, \$1.25

2 months schooling, \$3.25

1 hair comb, 25¢

1 quire of paper, 25¢

Miss Polly had a new straw bonnet costing \$3.50, and two pair of shoes at \$1.25 each.

Miss Winnie Knox went to singing school one quarter for which her guardian took credit for 50¢

Polly Earle, guardian of Anne Earle, charged her with the following:

4 yards of calico, 61¢ yard, \$4.00

For shoes, \$1.75

4 yards of dimity, \$2.00

1 blanket, \$2.00

1 paper of pins, 25¢

1 pair of Morocco shoes, \$1.25

1 Bonnet, \$4.50

It will have been observed that no oxen or mules are listed in any of these inventories. No work beasts except horses were used. Oxen were later used to a great extent for ploughing and hauling, but for many years there were no mules in the County. John Groves, who died about December, 1815, left steers as appear of record, and so did Edward Berry and Henry Ashby, before 1820, but as no yoke or gear is reported it is unlikely that oxen were worked in yokes or pairs to any extent.

The horses brought by the pioneers, were chiefly of a light type. They were well adapted for riding purposes, but without the weight or strength necessary for proper ploughing. This was one factor which early led to the unthrifty practice of shallow ploughing and waste of the soil, which has been the curse of the farmer in this region.

No watch or clock is reported until 1818, when Benjamin Wickliffe was found to possess "one silver watch, \$15.00." The Tax roll of Hopkins County for the year 1807 prepared by William Davis, the Commissioner of the Tax, shows every adult male citizen with his land, blacks and horses. This document is preserved in the archives of the Kentucky Historical Society and through the kindness of Mrs. Jonett Taylor Cannon, its custodian is reproduced as follows: Names, acres of land, water-courses, in whose names entered, number of blacks and number of horses follows:

Adams, James, 2 horses

Adams, John, 200 acres Tradewater, Polly Huston, 2 horses.

Arledge, Jonathan, 1 house

Ashby, Argyle, 200 acres Green,

Ashby, Daniel, 720 acres and 200 acres, Otter Creek; Stephen
 Ashby, Sr; 6 blacks, 5 horses
 Ashby, Ellender, 5 blacks, 1 horse.
 Ashby, Robert, 200 acres Green river, 2 horses,
 Ashby, John, 700 acres, Green river, Stephen Ashby, Sr; 2 blacks
 and 10 horses.
 Ashby, John, 100 acres, Green River.
 Ashby, John 300 acres, Green River.
 Ashby, Peter, 600 acres, Green River, Joseph Stephenson, 6 horses.
 Ashby, Ennis, 400 acres, Green River
 Ashby Stephen, 625 acres, Green River
 Ashby, Stephen, 600 acres, Green River
 Ashby, Stephen, 600 acres, Tradewater.
 Ashby, Stephen, 200 acres, Green river, Sarah Ashby.
 Anderson, Nathan; 2 horses.
 Ashby, Henry, 400 acres, Green river, Maryann Branson.
 Anderson, Thomas, 200 acres, Green river, Thomas Stokes, 1 horse.
 Ashby, Henry, 200 acres, Hannah Branson, 1 black, 8 horses.
 Ashby, George, 200 acres Green river Wm. Berry, 1 black, 2 horses
 Ashby, Jesse, 100 acres Green river, 3 horses.
 Ashby, Absalom, 935 acres, Green river, Stephen Ashby, 1 black, 9 horses.
 Ashby, Absalom, 200 acres Pond river, his name.
 Ashby, Bounds, 150 acres, Pond river, 1 horse.
 Ashb , William, 400 acres, Pond river 6 horses.
 Allen, James, 142 acres Pond river, John Orr 2 houses.
 Allen, Joseph, 200 acres Pond river, Archibald, Bourland.

Almond, Samuel, 400 acres, Pond river, 1 horse.
 Brown, Daniel, 400 acres, Pond river, 2 horses.
 Brown, John, 200 acres, (Henderson County), James Curry.
 Brown, James, 300 acres, P. Newson, 4 horses.
 Bell, Andrew, 400 acres, Tradewater, 12 blacks, 9 horses.
 Brown, Melzor, 800 acres, Tradewater, Daniel Payne,
 Bell, Joh, 130 acres, Nancy Othworth, 3 blacks, 1 horses
 Baldwin, William, 200 acres, Tradewater, 7 honses.
 Brown, George, Tradewater, Nancy Brown, 2 horses.
 Brown, Spill, 400 acres, Tradewater, 2 horses.
 Baker, Jacob, 200 acres, Tradewater, 2 horese.
 Baker, James, 400 acres, Abner Martin.
 Bratton Andrew, 1 horse.
 Berry, Thomas, 1 horse.
 Barnett, John, 1 horse.
 Baker, Miles, 200 acres, 6 horses.
 Brock, James, 6 horses.
 Brock, John, 140 acres Green River, John Lettles, 2 blacks, 3 horses.
 Berry, Joseph, 400 acres Tradewater, 1 black, 2 horses.
 Berry, Joseph, 400 acres Tradewater, Reuben Berry.
 Berry, Joseph, 400 acres, John Berry.
 Berry, William, 200 acres, Green river, Ben Berry, 1 black, 2 horses.
 Berry, Benjamin, 300 acres Tradewater, 2 blacks, 4 horses.
 Berry, Benjamin, 400 acres Green river, Sarah May, 2 blacks, 4 horses.

Bourland, Benjamin, 200 acres Pond River, Archibald Bourland, 4 horses.
 Bourland, Martha, 200 acres Pond River, Mrs. Bourland, 3 horses.
 Burcalo, Peter, 200 acres Pond River, Martin Hewlett, 3 horses.
 Bradley, Charles, 2 horses.
 Jone, John, 200 acres Pond river, 4 horses.
 Browder, Thomas, 200 acres Pond river, Vincent Fugate, 4 horses.
 Bishop, William, 175, acres Tradewater, his name.
 Burcalo, William, 50 acres, Pond River, Richard Dodge, 3 horses.
 Browder, Isham, 200 acres Pond river, 6 blacks, 8 horses.
 Browder, Isham, 600 acres Pond river, James Mack,
 Browder, Isham, 200 acres Deer Creek, his name
 Browder, Isham 200 acres Pond River, James Smith.
 Browder, Isham, 200 acres Deer Creek, John Grayson
 Browder, Isham, 200 acres Deer Creek, Wm. Grayson.
 Browder, Isham, 100 acres, Deer Creek, John Lincoln.
 Browder, Isham, 400 acres Pond river, his name.
 Berry, Reuben, 200 acres Pond river, 7 blacks, 5 horses.
 Bishop, Eli, 340 acres Tradewater, Daniel James, 2 horses.
 Bratton, Hugh, 2 horses.
 Bishop, William, 400 acres Tradewater, Caleb Martin, 3 horses.
 Branson, Liner, 400 acres Deer Creek, 2 horses.
 Berry, Benjamin, 100 acres Pond river, Thomas Mason, 2 horses.
 Berry, William, 100 acres Pond river.
 Burcalo, Johah, 1 horses
 Branson, Hannah, 200 acres, her name, 3 horses.
 Bourland, John, 200 acres Pond river, James Wallace, 4 horses.
 Bourland, John 170 acres, Pond river, William Burcalo.

Bourland, John, 70 acres Pond River, John Dodge.
 Bourland, Ebenezer, 200 acres Pond River, Rebecca Kuyendall.
 Bourland, Archibald, 400 acres Pond River, Catherine Bourland, 3 horese.
 Bishop, Charles, 525 acres, R. McGary, 3 horses.
 Brown, Lazarus, 3 horses.
 Cornwell, George, 225 acres Tradewater, 2 horses.
 Crabtree, Isaiah, 400 acres Pond river, his name.
 Crabtree, Isaish, 300 acres Tradewater, William Crabtree.
 Clayton, William, 400 acres Pond river, D. M. Blackburn, 1 horse.
 Clark, Samuel, 100 acres Pond river,
 Chapell, Stephen, 100 acres Pond river, 1 horse.
 Clark, James, 11 horse.
 Clark, Joseph, 400 acres Pond river, 1 horse.
 Clark, John, 1 horse.
 Clark, William, 400 acres Tradewater, 3 horses.
 Clark, William, 200 acres Tradewater, Catherine Bradburn, horses.
 Clark, John, 2 horese.
 Chappell, Jeremiah, 200 acres Tradewater, James Franklin, 1 horses.
 Clark, George, 100 acres Tradewater, Zachariah Wood, 1 horses
 Carter, John, 400 acres, Tradewater, Ezekiel Carter, 1 black, 5 horcos.
 Carter, John, 400 acres Tradewater, Patsy D. Clark Carter.
 Carter, John, 200 acres Tradewater, his name.
 Carter, John, 200 acres (Muhlenberg County) his name.
 Carter, Henry, 400 acres Tradewater, 3 horses.
 Carter, Henry, 400 acres Tradewater, Joseph Barsberry.
 Carter, Henry, 400 acres Tradewater, Hannah Bourland, 2 horses.

Carter, Ezekiel, 400 acres Tradewater, Hannah Carter.
 Curtis, Hillary, 100 acres Tradewater, Mary Miller, 1 horse.
 Curry, Benjamin, 200 acres Tradewater, Zachariah Wood.
 Cooper, Thoams, 200 acres, 3 horses.
 Crownover, John, 200 acres Deer Creek, Andrew Block, 1 horse.
 Crownover, Abraham, 1 horse.
 Cavanah, Davis, 100 acres Deer Creek, John Mitchell.
 Cole, Edward, 4 blacks.
 Crowley, Prior, 2 horses.
 Combs, John, 200 acres Pond river, 1 black, 4 horses.
 Combs, John, 100 acres Pond river, James Foley.
 Camel, Charles, 1 horse.
 Curtis, Russell, 100 acres Tradewater, Daniel Fox. 1 horse.
 Davis, John and Thoams, 800 acres Pond river, Thomas Davis and
 Pl. Davis, Elizabeth Blanton.
 Davis, Samuel, 200 acres Tradewater, 1 horse.
 Davis, John E. 100 acres Tradewater, Jacob Wade, 1 horse.
 Dodge, Richard, 250 acres Pond river, 4 horses.
 Day, Middleton, 200 acres Tradewater Simon Sugg, 3 horses.
 Davis, William, 200 acres Pond river, John Dodge. 3 horses
 Davis, James 100 acres Pond river, William Bourland, 1 horse.
 Davis, James, 50 acres Pond river, Jonathan Palmain.
 Davis, Joseph, 200 acres Tradewater, Nelson Griffin, 10 blacks, 11 horses.
 Davis, Joseph, 200 acres Tradewater, James Gordon.
 Davis, Joseph, 200 acres Tradewater, Hugh McGary.
 Davis, Joseph, 470 acres Tradewater, Isham, and James Talbot.
 Davis, Joseph, 200 acres Tradewater, Isham Tabbot.

Davis, Joseph, 440 acres, Tradewater, Thomas Davis.

Crownover, Benjamin, 200 acres Deer Creek, Peter Ruby, 3 horses.

Davis, Harrison, 300 acres Pond River, his name.

Davis, Harrison, 200 acres, John Thompson, 3 blacks, 7 horses.

Davis, Robert, 400 acres Pond River, James Davis, 2 blacks, 7 horses.

Davis, Benjamin, 350 acres Pond River, Robert Davis.

James, Davis, 200 acres Pond River, his name 5 horses.

Davis, Richard, 400 acres Pond River, his name, 5 black, 12 horses.

Davis, Richard, 400 acres Pond river, John Davis.

Davis, Richard, 200 acres Tradewater, Thomas Davis,

Davis, Richard 110 acres Pond river, Susan Davis.

Davis, Richard, 340 acres Pond river, William Davis.

Dodge, John 400 acres Tradewater, his name.

Earle, Ann, 200 acres Pond river, Baylis Earle, 24 blacks, 10 horses.

Earle, Ann, 200 acres Pond river, Thomas Adams.

Earle, Ann, 400 acres Pond river, Baylis Earle.

Earle, Ann, 200 acres (Christian County, Lit R. Mosepley.)

Correction: Edwards, John 100 acres Pond river, Archibald Bourland.

Franklin, James, 160 acres Tradewater, his name, 1 horse.

Franklin, Owen, 300 acres Tradewater, 2 horses.

Franklin, Edward, 100 acres Tradewater.

Franklin, Thoams, 200 acres.

Fox, Daniel, 200 acres Pond river, his name, 4 horses.
 Fox, Daniel, 200 acres Tradewater, his name.
 Fields, Thomas, 200 acres Tradewater, his name.
 Fields, Thomas, 200 acres Tradewater, 4 horses.
 Poley, Richard, 400 acres Pond river, his name.
 Poley, James, 100 acres Pond river, his name.
 Fox, Noah, 200 acres Tradewater, Robert McCary.
 Fox, Noah, 50 acres, Tradewater, A. Martin
 Fugate, Vincent, 200 acres Pond river, his name, 6 horses.
 Fugate, George, 200 acres Pond river, his name.
 Fox, Titus, 200 acres Pond river, James Wallace, 3 horses.
 Enoch, Fox, 1 horse.
 Gill, George, 200 acres Tradewater, William Douglas
 Gill, George, 110 acres Tradewater, George McCoun.
 Gill, George, 200 acres Tradewater,
 Gill, George, 400 acres Tradewater, Jane Carter
 Gill, George, 350 acres Tradewater
 Gordon, John 400 acres Tradewater, David Wright, 2 blacks, 2 horses.
 Gordon, John 200 acres (henderson County, Cypress Creek,) his name.
 Givens, Eleazor, 4 blacks, 9 horses.
 Goodwin, George, 200 acres Tradewater, his name, 1 horse.
 Goodloe, Henry, 125, acres Pond river, Joseph Montgomery, 1 black, 3 horses.
 Groves, Henry, 150 acres Pond river, Nicholas Hardin, 2 horses.

Given, Ellender, 4 horses.

Groves, John, 400 acres Deer Creek, his name, 4 horses.

Given, Dickson, 400 acres Tradewater, his name.

Hubbard, John, 4 horses.

Hubbard, Catherine, 200 acres Tradewater, his name.

Holloman, William, 200 acres Tradewater, Sally Brown.

Harvey, Lemuel, 200 acres Tradewater, Pond river, Robert Langford, 3 horses.

Henry, William, 200 acres Tradewater, Caleb Hall, 2 blacks, 7 horses.

Henry, William, 196, acres Tradewater, David Dunnigan.

Henry, William 233, acres Tradewater, Michael Goodwin.

Henry, Joseph, 100 acres Tradewater, Margaret Mitchell.

Henderson, Joseph, 270, acres Tradewater, his name, 1 horse.

Herrin, Reuben, 400 acres, Slover Creek, his name, 2 horses.

Herrin, Reuben, 400 acres Arthur Salton.

Helm, Thoams, 60 acres his name.

Hick, William 100 acres Pond river, his name. 2 blacks, 2 horses.

Hulet, Alfred, 200 acres, 1 horse.

Harold, John 300 acres Pond river, Stephen Ashby.

Hannah, Brice, 1 horse.

Hall, Caleb, 200 acres, Pond river, James Davis, jr. 1 horse.

Hall, Caleb, 800 acres Tradewater, his name.

Hall, Caleb, 200 acres Pond river, jr. and Nancy Davis.

Hall, Caleb, 200 acres Tradewater, Mahland Hall.

Hardin, Nicholas, 400 acres, his name. 5 blacks, 4 horses.

Howell, Lewis, 150 acres Pond river, Vincent Howell, 5 horses.

Howell, William, 1 horse.
 Hardin, George, 1 horse.
 Hooker, Robert, 200 acres Deer Creek,
 Hooker, Robert, 400 acres Deer Creek, Sarah Ditchley.
 Hunter, Reuben, 2 horses.
 Hannah, John 600 acres Tradewater, George Gordon.
 Hooker, Samuel, 400 acres Deer Creek.
 Holder, Shadrack, 2 horses.
 Jenkins, Nathan, 100 acres Tradewater, his name, 2 horses
 Jenkins, William 3 horses.
 Jones, William 200 acres, Tradewater, Thomas Davis, 2 blacks 4 horses.
 Jones, William 27½ acres, (Christian County) Richard Jones.
 Jone, William 100 acres (Christian County) William Walton.
 Kuykendall, Peter, 100 acres Tradewater, Mary Knyler.
 Kuykendall, Peter, 200 acres Tradewater, G. Peyton.
 Kell Matthew, 7 blacks.
 Kernel. Patrick, 300 acres Deer Creek, John Peyton.
 Kirk, Hiram, 2 horses.
 Kernel. Flenion, 300 acres Deer Creek, John Peyton, 5 blacks, 4 horses.
 Krum, Leonard, 1 horse.
 Lindley, Sarah, 300 acres Tradewater, hier name, 5 horse.
 Lindley Janes, 350 acres Tradewater, Ben Crabtree, 3 horses.
 Lewellyn, Abednego, 400 acres Tradewater, his name, 3 horses.
 Lewellyn, Abednego, 100 acres Tradewater, Thomas Berry.
 Leeper, John 200 acres Green River, his name 1 black, 6 horses.

Leeper, John, 400 acres Green river, John May.
 Leeper, John, 200 acres Green river, Moses Stegal.
 Leeper, John, 200 acres Green river, Jude Johns.
 Leeper, John, 200 acres Green river, Don Fletcher.
 Deeper, John, 200 acres Green river, Nancy Llewellyn.
 Lee, Richard, 400 acres Green river, his name, 9 horses.
 Lee, Richard 200 acres Green river, Robert Robertson.
 Lee, Richard, 200 acres Green river.
 Long, William, 2 horses.
 Landers, Abraham, 300 acres, Tradewater, his name, 2 horses.
 Landers, Clark, 145 acres, his name, 2 horses.
 Logan, James, 400 acres Pond river, his name, 9 horses.
 Lovan, John, 1 horses.
 Lovan, Gabriel, 250 acres Pond river, Benn Wallace, 1 horse.
 Llewellyn, Meshac, 400 acres Green river, 1 black, 5 horses.
 Laffoon, Sarah, 200 acres Green river, 1 black, 5 horses.
 Laffoon, Sarah, 250 acres Pond river, William Wallace.
 Mercer, Daniel, 300 acres Tradewater, his name, 17 horses.
 Mercer, Daniel, 170 acres Tradewater, James Johns.
 Mereer, John, 4 horses.
 Mercer, Jones, 150 acres Tradewater, his name.
 McGregor, William, 1 horse.
 Morrow, John, 200 acres Tradewater, George Gordon, 1 horse.
 Merit, Nathaniel, 100 acres Pond river, Wm. Bourland, 1 horse.
 Martin, Reuben, 4 horses.
 McCormick, John, 150 acres Tradewater, William Owen, 1 horse.

McClendon, Frederick, 200 acres Tradewater, William Owen, 3 horses.
 McBee, Silas, 200 acres Tradewater, his name, 6 blacks, 10 horses.
 McBee, Silas, 400 acres Tradewater, Barnabas Gates.
 McBee, Silas, 200 acres Tradewater, John Landon.
 McBee, Silas, 200 acres Tradewater, Lawrence Robeson.
 McBee, Silas, 200 acres Tradewater, William Weir.
 McBee, Silas, 300 acres Tradewater, James Blue.
 McBee, Silas, 200 acres Tradewater, Hannah McBee.
 McMullen, John, 2 horses.
 McMurtry, William, 140 acres Green River, J. Black, 3 horses, 2 blacks.
 McMurtry, William, 60 acres Green River, David Cavanah.
 McMurtry, William, 200 acres Henderson County.
 McMurtry, William, 200 acres, Crab Orchard.
 McMurtry, William, 200 acres Bourbon county, Isaac Ruddle.
 McMurtry Stephen, 200 acres Hopkins county, his name.
 Martin, James, 200 acres Tradewater, Joseph Davis, 2 blacks, 2 horses.
 Murphy, Hannah, 400 acres Pond River, David Adams, 4 horses.
 Murphy, John, 1 horse.
 Moseley, Martha, 1 black, 1 horse.
 Meredith, Samuel, 200 acres Tradewater, Jesse Moore, 2 horses.
 McGary, William, 200 acres Tradewater, Samuel Thomason, 3 blacks, 5 horses.
 McGary, William, 200 acres Tradewater, Ebenezer Bourland.
 McGary, William, 200 acres Tradewater, Paul Smelser.
 Martin, Linza, 400 acres Tradewater, 3 blacks, 2 horses.
 Martin, Linza, 200 acres Tradewater, Richard Baker.
 Martin, Linza, 100 acres Tradewater, William Allen.
 Martin, Abner, 425 acres Tradewater, William Martin, 5 blacks, 3 horses.
 McGary, Robert, 200 acres Pond River, Simon Kuykendall, 7 blacks, 7 horses.

McGary, Daniel, 200 acres Pond River, Andrew Bratton, 8 blacks, 7 horses.

McGary, Daniel, 90 acres Pond River, Bratton, Nancy.

Morton, Thomas, 347 acres Pleasant Run, his name, 9 blacks, 5 horses.

Morton, Thomas, 53 acres Pleasant Run, his name.

Moore, Jesse, 6 acres Tradewater, his name, 1 horse.

Mitchell, John, 150 acres Tradewater, Elijah Baker.

Morrow, James, 200 acres Tradewater, Melzor Brown, 3 horses.

Mitchell, William, 300 acres Pond River, Joseph Montgomery, 2 horses.

Nation, Joseph, 1 horse.

Newton, Robert, Sr; 300 acres Deer Creek, 3 horses.

Newton, Robert, Jr; 2 horses.

Nisbet, James, 226 acres Pond River, his name, 6 horses.

Newson, Pierson, 200 acres Pond river, Caleb Hall, 3 horses.

Orton Edward, 400 acres Green River.

Orr John, 400 acres Tradewater, his name, 2 horses.

Owens William, 200 acres Tradewater, his name, 2 blacks, 5 horses.

Owens William, 450 acres Tradewater, his name.

Owens, Reuben, 400 acres Deer Creek, his name, 4 horses.

O'guire, John, 1 horse.

Orr, Robert, 2 horse.

Pyburn, Richard, 2 horses.

Pierson, John, 200 acres Deer Creek, William Black, 1 horse.

Palmour, John, 300 acres Tradewater, T. Cooper, 2 horses.

Parker, Peter, 2 horses.

Phillips, Andrew, 400 acres Deer Creek, Peter Phillips.

Phillips, Andrew, 200 acres Deer Creek, William Howell, 19 blacks, 12 horses.

Prather, Jmaes, 150 acres Pond river, 2 horses.
 Prather, Thomas, 300 acres Pond River, Stephen Ashby, 3 blacks, 10 horses.
 Prather, Thomas, 150 acres Smid river, his name.
 Prather, Thomas, 200 acres Deer Creek, his name.
 Prather, Thomas, 50 acres Deer Creek, his name.
 Prather, Thomas, 200 acres Deer Creek, his name.
 Pidcock, Horatio, 400 acres Otter Creek, his name.
 Palmour, Jonothan, 200 acres Tradewater, his name, 3 horses.
 Parks, George, 1 horse.
 Palmour, Benjamin, 159 acres Tradewater, John Palmour, 2 horses.
 Parker, John, 200 acres Tradewater, Ben Davis, 1 black, 2 horses.
 Ramsey, George, 200 acres Tradewater, James Martin, 2 horses.
 Rhea, Alexander, 400 acres Tradewater, John Wilson,
 Rhea, Alexander, 400 acres Tradewater, his name, 5 horses.
 Rhea, Alexander, 100 acres, Caleb Wade.
 Rhea, William, 400 acres Tradewater, his name, 2 horses.
 Ralls, William, 100 acres Tradewater, William Owens, 1 horses.
 Robertson, Robert, 200 acres Tradewater, his name, 1 black, 5 horses.
 Robertson, Robert, 200 acres Tradewater, Robert Porter.
 Robertson, John, 200 acres, Tradewater, his name, 2 horses.
 Bertson, John, 100 acres, Tradewater, Martin Fugate.
 Ruby, John, 200 acres, Deer Creek, his name, 3 horses.
 Ruby, John, 300 acres, Tradewater, Edward Lynch.
 Reynolds, Aaron, 1 black.
 Robson, Lewis, 100 acres Pond River, 2 blacks.
 Reynolds, Benjamin, 400 acres Pond River, William ^Copper, 1 black, 2 horses.

Reynolds, Thomas, 157 $\frac{1}{2}$ acres, William Berry, 3 blacks, 4 horses.

Rash, James, 100 acres, Hugh McGary, 1 horse.

Ruby, Peter, 200 acres Deer Creek, his name, 3 horses.

Ruby, Peter, 400 acres, Tradewater, Ann Ruby.

Stull, Lawrence, 400 acres, his name.

Stull, Lawrence, 400 acres Tradewater, John Stull, 6 blacks.

Stull, John, 400 acres Tradewater, Lawrence Stull, 1 horse.

Smith, Elias, 200 acres Tradewater, his name, 4 horses.

Stuart, William, 400 acres Tradewater, his name, 5 blacks, 10 horses.

Stuart, William, 200 acres Tradewater, William Holloman.

Stuart, William, 200 acres Tradewater, Sally Wallace.

Stuart, William, Becky Kuydendall.

Settles, Henry, 200 acres Deer Creek, 1 black, 5 horses.

Slaton, John, 20 acres Pond River, his name, 4 horses.

Slaton, John, 200 acres, Pond River, Jonathan Price.

Sisk, Barnabas, 200 acres Tradewater, William McGary, 4 horses.

Sisk, Barnabas, 4 acres Tradewater, his name.

Sisk, Timothy, 3 horses.

Slaton, Arthur, 200 acres Pond River, William, Berry, 1 horse.

Slaton, Arthur, 100 acres Pond River, George Fugate.

Slaton, Arthur, 50 acres Pond River, V. Fugate.

Slaton, Arthur, 50 acres Pond River, Jacob Sprinkle.

Stokes, Thomas, 200 acres Pond River, Ben Berry, 3 horses.

Silkwood, Solomon, 400 acres Tradewater, John Foley, 1 horse.

Stokes, Benjamin, 400 acres Deer Creek, his name, 4 horses.

Stokes, Benjamin, 400 acres Deer Creek, Catherine Stokes.

Shoemaker, Benjamin, 200 acres Deer Creek, Jmaes Foley, 3 horses/

Smith, Jesse, 200 acres Deer Creek, Argyle Ashby, 2 horses.

Smith, Jesse, 200 acres Deer Creek, his name.

Thompkins, Jmaes, 400 acres Deer Creek, his name, 15 blacks, 13 horses.

Teague, S. Van, 100 acres Pond River, William Teague, 3 horses.

Timmons, George, 200 acres Pond River, his name, 1 black, 3 horses.

Timmons, George, 300 acres Pond River, Stephen Ashby.

Timmons, Tolivar, 400 acres Pond River, his name, 2 horses.

Turner, Elisha, 1 horse.

Timmons, Abner, 3 horses.

Timmons, Stephen, 2 horses.

Taylor, Edmund, 400 acres Pond River, Robert Wilson.

Underwood, Josiah, 170 acres Pond River, his name, 3 horses.

Wallace, Benjamin, 424 acres Tradewater, Abraham Lander, 1 black, 4 horses.

Wallace, Benjamin, 200 acres Tradewater, Charles West.

Wallace, Benjamin, 224 acres Tradewater, his name.

Wilson, John, 200 acres Tradewater, Alexander Rhea, 2 horses.

Wilson, John, 100 acres Tradewater, Caleb Wade.

Wilson, John, 100 acres Tradewater, Zac Wade.

Whitesides, Samuel, 400 acres Tradewater, William French, 2 horses.

Whitesides, William, Sr., 270 acres Tradewater, his name, 3 horses.

Whitesides, John, 200 acres Tradewater, Thomas French, 1 black, 5 horses.

Whitesides, John, 200 acres Henderson County, his name.

Whitesides, William, Jr., 900 acres, Tradewater, his name, 4 horses.

Whitesides, William, Jr., 400 acres Henderson County, his name.

Williams, Jonathan, 200 acres Poplar Creek, 3 horses.

Welch, Lewis, 1 horse.

Weeks, David, 1 horse.

Welch, Henry, 400 acres Pond River.

Wallace, Elijah, 100 acres Tradewater, James Dodge, 1 horse.

Williams, Claiborne, 200 acres Deer Creek, Thomas Stokes, 1 horse.

Wright, David, 200 acres Tradewater, Lawrence Stull, 5 horses.

Wright, David, 250 Acres Tradewater, his name.

Wright, David, 350 acres Pond River, Mark Laffoon.

Weir, Russell, 400 acres Tradewater, his name, 10 horses.

Weir Russell, 200 acres Tradewater, his name.

Williams, Thomas, 100 acres Pond River, William Mitchell, 1 horse.

Woodson, Samuel, 1 horse.

Hopkins County, Sct.

I, Samuel Woodson, Clerk to the court for the county aforesaid, do certify that I have carefully compared the foregoing list with the lists taken and filed in my office by William Davis, the Commissioner of the tax for the said county for the previous year and find that they agree. Given under my hand this 30th day of October, 1807.

Signed, Samuel Woodson,

C.H. Cty.

FOX RIVER BOND

23% COTTON

The foregoing tax list was copied from the original book of William Davis, commissioner of the Tax for the county of Hopkins for the year 1807, and is to be found in the original form in the Archives Department, in the Kentucky State Historical Society, in the old State House at Frankfort, Kentucky.

This copy was made for Major M.K. Gordon of Madisonville, Ky; June 24, 1931; by Mrs. Jouett Taylor Cannon, Secretary of the Kentucky State Historical Society.

The present purpose of this publication is to show exactly what families were settled in Hopkins county at its beginning, and just what their holdings were; there are 284 voters, and at the usual assumed ratio of 5 persons to the voter, the population of the county in 1807 may be estimated at 1420.

A few names were overlooked by the commissioner, as Frederick Dobyns, William Gordon, Joshua Barnes, Pressley Pritchett, John Hopkins, William Herrin, William Allen, Paron Cardwell, shown by early records to have been residents in 1807.

"Remove not the ancient land mark which the fathers have set up."
(Proverbs XXII.28)

Reference has been made to the origin of land, titles, with respect to granting of large tracts in recognition of military service, or in recognition of settler's rights, and with reference to sales of public lands to entrymen. All title to the lands of Kentucky are declared by law to be allodial, that is, free of rent or service, as opposed to the feudal titles of England. The original and absolute title to all land in Kentucky, east of the Tennessee River was in the Commonwealth of Virginia, and were it granted the land the grantee took the absolute freehold title. This is subject only to the right of eminent domain, by which the state can reclaim the title for public purposes, by appropriate proceedings and upon compensating the owner.

The land of which Virginia did not divest itself, passed to the Commonwealth of Kentucky, and it sold ~~and~~ granted it by a system of land laws following the Virginia plan. Soldiers of the Continental line were entitled to the best lands in the Green River country, and where grants satisfying their rights had not been made by Virginia, this obligation was performed by Kentucky.

Under other laws, actual settlers and improvers of vacant and unappropriated lands were entitled to grants, and under certain circumstances to pre-emption rights in other lands, and in their corporate capacities, to receive grants thereof. Then, any vacant and unappropriated land might, and, if there be any at this day, yet may be, entered upon warrant from the county court. These warrants were and are obtainable by the payment to the Commonwealth through the county court of a trivial price per acre. With warrant in hand the holder delivers it to the county surveyor who witnesses his entry on the vacant and unappropriated land selected by the warrant holder or entryman, surveys the land, records the survey and plat thereof, and certifies the entry to the land office. In due time the Governor of the Commonwealth issues his "Letters Patent", or open letters of writing, usually referred to as the "patent", whereby the Commonwealth grants to the entryman the legal title to the land. The patent always bears the certificate of the "Register of the Land office" or equivalent functionary that the grantee has good title to the land described.

- Of course, if the land be not vacant and unappropriated the patent is void, and the grantee takes nothing, if the boundary conflicts with an older grant, the patent is good, except in so far as the "clash" is concerned.

At the organization of Kentucky, the task of surveying and mapping the public lands, dividing them into ranges, was so townships and sections with fixed and marked meridian lines was so huge as to be insurmountable, the cost of making such a survey would have been more than the market value of the lands.

Although timely suggestion of such a survey was made, it was not adopted for the reason indicated, worse still, the haphazard choice or caprice of the entryman, or his chance of finding vacant land, alone governed the shape of his location. When the settlement began, the settlers directed the surveyor in the matter of location or the shape of the tract of land being entered, without much regard to the cardinal points of the compass. When the survey was being made the corners and lines were marked and noted. Almost all corners were live and standing trees, upon which the surveyor would make three hacks or cuts awith his tomahawk on the side where the lines converged. The lines generally ran through an unbroken forest, and where it passed through a live standing tree the surveyor would mark the tree "fore and aft", that is, by two hacks on each side, where the line entered and where the line left the tree. Trees near the line were blazed or hacked as "side line" trees. Thus every grant and deed will be found to describe the land as being bounded by lines running from certain trees to certain other trees. White oaks and poplars were in favor as corner trees, and so were the dogwoods and service berry, it was said, because their presence indicated fertility, and that lines sometimes would be lengthened to corner such trees.

Other trees were also called for, or sometimes stakes or stones, principally perhaps, where the last lines of the survey were not actually run, but closed for quantity. Even to the most experienced and accustomed woodsman these obscure marks were often hard to find, although regarded by the law as monuments, and "fixed and well defined." Consequently, even the most honest entrymen and surveyors made many errors, clashes in surveys made years apart, were almost unavoidable and afforded ground for infinite discussion argument, conflict and litigation for a century later. Possession of course, was "nine points of the law", and possession of an enclosure upon a tract of land claiming to "well defined marked boundaries" was legal possession to such boundary, and might, in time, ripen to title by adverse possession even though the patent or deed under which the claim was made, was junior to some others. Fine points of law, so called technicalities, developed, founded on absolute reason and justice, which sometimes worked hardship. Into this system of land titles, and uncertain land boundaries, was imported by act of the General Assembly, the ancient custom of "Processioning", "perambulating" or beating the bounds, which as recognized and decreed, required that the County court should appoint three or more sober, discreet land holders as "Processioners" who on formal application of land owner, notice being given to those concerned, the title papers of all concerned being produced on the land on a day certain to the "Processioners", they, with the county surveyor should proceed to procession or pass upon the boundary in question, hear proffered proof, take depositions and find and fix, establish, mark corners and lines, and report their findings at length to be recorded in the "Processioners Book" in the county court Clerk's office.

Processioners were first appointed by the Hopkins county court on August 21, 1807; Daniel Ashby, James Logan and Abraham Landers for the district north of Clear Creek, and William McGary, Abner Martin and Caleb Hall, for the district south of the creek. A "processioning" in the Virginia colony was periodical instead of special as in Kentucky - "Once in every four years, the vestry by order of the County Court divided the parish into precincts and appointed two persons in each precinct to procession the lands.

These surveyors, assisted by the neighbors, examined the markings and renewed by blazing the trees or by other artificial devices, the old land marks of the fathers, and reported the result to the vestry who recorded the same in the parish books. Customs of passing in procession to publicly establish and notify boundaries, public and private are widespread and

of great antiquity. Perambulation, is the technical term of English law; but there it is popularly called "Beating the Bounds," the corners and marks being touched by the official wands of the vestrymen or other functionaries.

Variation if found in some parishes where in boundary was actually beaten with willow switches by youths accompanying the officials, and one of the youths was whipped at each corner "to make them remember", it is said. The latter feature of the custom was unofficially adopted and followed in Kentucky, where, as many men now living recall, the heirs apparent of the estate were taken along in processioning, and whipped at each corner.

Here is a remarkable remnant of a world-wide and age-old usage, a dim recollection of pagan days when the sacrifice of human blood was made to stakes and stones. For our stakes and stones are the memory of the guardian stones of boundary and foundations, to which divinity and domain, godship was attributed to old Jacob and Laban sacrificed upon their boundary pillar. (Genesis xxxl, 45-52) One of the most highly and respected gods of the Romans was Terminus, god of boundaries, to whom yearly sacrifices were made at every boundary on his day, February 23. The whipping of the boys was an unconscious race memory of boundary sacrifice, so dim that the reason was forgotten and that assigned, the whipping was to "make the youth remember the place." By all means, to the temporary sufferer in sacrifice, a very unsatisfactory reason indeed.

The first survey made after the organization of the County was August 7, 1807; by John Gordon, surveyor of Hopkins County, made for James Brown, assignee of Pierson Newcomb, a settler for 300 acres on the north side of Tradewater River by virtue of a certificate from the Henderson County Court dated February, 1804. The same was the first certificate and entry I in the file in the County. The first 36 entries were upon similar certificates from Henderson County, one dated 1801. The next entry was made Oct. 11, 1807; by John Leeper, the assignee of Benjamin McClendon, Leeper is remembered as one of the actors in the tragedy of the Harpes.

Mr. Jerrold A. Jonson writes; "Many of the old military and other surveys, when later run out, contained a large surplus area over that called for in the Patent. These errors were caused in part by inaccurate surveys or by the fact that it was customary to add an extra link to the chain to take care of measuring over fallen trees and on unlevel ground. Most of them were due to the proclivities of men--even at that early time., to get something for nothing. The survey for the area called for--a suspicious circumstance, because a perfect survey cannot be made with compass and chain. The surveyor in fact, marked out on the ground or rather on the timber, a much larger tract than the survey returned. In a few years the processioners were called upon to locate the tract, and, as the corner trees and line trees were standing and readily

found, the processioners report covered the land actually marked out. The rule of law being, that courses and distances given in survey must give way to the known corners. Another rule was that the finding of the processioners was prima facie correct.

Thus the patentee gained the larger area. Tradition has it that the military surveys were made on horseback. The surveyor set his compass on his saddle and took the course of the line, then rode forward the estimated distance. The markers came behind and marked the lines and corners. This custom is evidenced by the fact that military lines and corners are marked high up, as if from horseback, and "fore and aft" line trees are marked which are not in the exact line. Men of those days had far better sense of direction than we have. They were accustomed to travel through dense forests and on blazed trails.

Mr. Washington M. Rhea, an old and well known citizen had such a sense of direction that often he would sight through the compass and walk forward and set the flag staff so exactly in line that the surveyor would not have him move the flag. He knew all the short cuts and most direct routes in the whole county. Several trees were often called for as the corner though they might stand 15 or 20 feet apart. Sometimes a hole in the ground was called for as a corner. Again a "rock house" would be called for, a rock house was a shallow cave. In one survey, a "haystack" on a branch was called for as a

corner. We had landsharks in those days too, but most of the excessive area of the surveys was due to the tendency to reward the soldier by taking advantage of the hole in the law. Lands were cheap. The soldiers ill paid, so, what was a little land between friends?

Some men made a living by bearing the expense of procuring the lands for half of the overplus found. The overplus was generally found. By landmarks Daniel Boone lost his Kentucky lands and Kentucky lost her Daniel Boone. He could beat the wild Indians, but not the civilized white man. The land and law cases always held the interest of the rural people and was a fruitful topic of argument and discussion, and many a "chimney corner lawyer" was held to be a good judge of law. A disputatious and suspicious disposition in the people was cultivated in the controversies which across the years has arisen from time to time from the confusion of land titles.

At the end of the American Revolution, a wave of infidelity, partly the result of war, partly of French philosophy and the teachings of Thomas Paine and Jean Jacques Rousseau and their like, swept America. The churches were inactive, and its ministers were without heart and spirit, and some were said even to be without religion. Among these latter were James McCready, born in western Pennsylvania, educated for the Presbyterian ministry at a school at Cannonsburg (now Jefferson College) and licensed to preach August 13, 1798.

Reverend W.B. Strong of the Min Street Presbyterian Church in Madisonville writes: "Reverend James McCready preached for several years before he was a Christian. One night after McCready had retired, he overheard two friends who were lodging in the same room, talking about his case. They did not believe that he was a converted man. That he knew nothing of experimental grace, in the place of offending McCready on hearing these remarks it led him to serious and close examination of self, whereupon he came to the conclusion that they were right. He at once set about to find his experimental knowledge of Divine Power and forgiveness and found this pearl of great price in the year 1786. The conversion of the Apostle Paul scarce made a greater change in a man's life than did this remarkable event in the life of McCready.

At first, a profession or trade, his ministry led him to see himself as he was and he found conscious salvation. He left the state of Pennsylvania to take a parish in Orange County, N.C. There never a man spoke of him but was good, there was a revival of religion, and conversions of church members. The revival spirit and the revival was opposed within his church, and the preacher's life was endangered in the fierce persecution of the revival party. A threatening letter writ in blood was sent to him.

As a measure of safety, and as well to spread the work of God, McCready in 1796, removed to Cumberland, taking with him

a large train of his North Carolina neighbors... "Cumberland" was the name applied to an indefinite area on both sides of the Cumberland river in Tennessee, extending south to the Cherokee or Tennessee river, and northward in Kentucky to the Green river, including the valleys of the Red, Gasper, Muddy and Harpeth rivers.

Brother Strong writes: In 1796, McCready removed to Logan County, Ky; there he took charge of three small congregations of the Presbyterian church, Muddy river, Gasper and Red river. Here in the place of discussing the Decrees, Election, predestination and foreknowledge of God, as was the custom of the day, McCready preached Repentance, Regeneration, forgiveness of sins, also hell and damnation of unrepentant sinners. He declared that religion is something that could be felt, and that a converted sinner would know the time and place of his conversion. In a letter to a friend, dated Logan County, Ky.; Oct. 23, 1801, McCready describes the beginning of a great revival. "In the month of May, 1798, which was the spring after I came to this country, the Lord graciously visited Gasper river congregation, the doctrines of regeneration and faith and repentance which I uniformly preached, seemed to call the people to serious inquiry."

In July, 1799, at the administration of the sacrament of the Lord's supper at Red River, the power of God seemed to fill the congregation. The boldest, most daring and hardened

sinner, covered their faces and wept, prayed for forgiveness and mercy. Many lingered about the altar, after the congregation had been dismissed for hours. God's people were quickened, comforted and filled with unspeakable joy and glory. In June, at a sacramental meeting at Red River, the real revival that was to move the powers of darkness, infidelity and sin, ~~was the power of darkness, infidelity and sin.~~ and gave birth to the Cumberland Presbyterian Church, began. McCready says: "This was the greatest time I have ever seen. Multitudes were struck down under awful conviction, cries of the distressed filled the whole house. Profane swearers, Sabbath breakers and wicked men crying out, "What shall we do to be saved?"

Great crowds came from a hundred miles in wagons, bringing their provisions with them for the two or three day stay at the great meetings. This was the real beginning of the camp meetings that did so much intense work to evangelize Ky. He preached at the homes of the people, with such fire and power that men under overwhelming conviction fell to the floors and although entirely conscious, remained prostrate and motionless for hours. They arose, shouting, These exercises drew large crowds to McCready's meetings. The people thus affected were not alone the ignorant, but many of the most intelligent and well educated too. At Gasper river he held the first camp meeting. It was modeled after the style of the camps of the wagon train by which he and his people came from North Carolina and in which he had preached.

The idea spread, his preaching became yet more inspired, and other Ministers, some Methodists, joined in the movement and the great revival was on. It spread first throughout Ky. and Tenn. and thence to other parts.

There were not enough preachers, and McCready sent out his converts, not ordained Ministers, as exhorters. The Presbyterian church as such, deprecated and opposed the movement, particularly the practice of allowing unqualified persons to preach. The Presbyterian ministers in opposition entered the field ridiculing and preaching against the revival.

Hell, the prospect of an indefinite sojourn there, is a distinctly unpleasant concept, and naturally disagreeable to people who wish to do as they please without regard to their example to others, or to their responsibility for the good of ~~the~~ others, or of the body politic, whether that hell be conceived belief that minimized the terrors and unpleasant prospects of hell fire, or persuades people that they are too good to go there, or that God is too merciful to condemn them, will always draw adherents. There will always be those who believe what they like to believe, regardless of revelation or even of experience. It is therefore easy to understand why emotional religion, and Puritanism are ridiculed by some. It is easy to understand why religion of any kind, which curtails present pleasure, or entails forgetfulness or self-denial or

implies anything in the way of future retribution or takes hell seriously, will always have opponents.

In that time, there were opposed to the revival those who were satisfied with a modicum of spiritual religion. On the other hand, a hard bitten people who experienced joy in worship, a spiritual elevation raising them above their hard lives at the same time, had in the contemplation of hell fire a fascinating deterrent which strengthened their faith and rule of conduct. In the building of a community or nation, the best material will be found where men love God, fear hell and hope for Heaven. And of such, chiefly were the people of Hopkins. Passion and occasional black marks, some backsliding of individuals there was as a matter of course, but without doubt, almost always, repentance followed.

The ministrations of the local preachers, of the revivalist, and circuit riders was a constant feature of interest and importance with the pioneers. There were, before the organization of the county camp meetings at the places known as Rose Creek Church, Browder's Chapel, High Glory, Providence Church, Bruce's Mill and other places, many meetings held.

It is not recorded that the worshippers were emotionally affected as at other camp meetings, or that they had the "jerks" or other bodily exercises. But there can be no doubt from the record, that the moral and civic character of the community was molded by the revivals to a great extent. Deliberate violation

of the law and dishonesty was almost unknown among those original pioneers, and even at this day, is rare among their descendants. For example, take the name of the family of Ashby, the name of several pioneers, distantly, if at all related to each other, it would be hard to find among their descendants, a single shabby individual, disgracing this name which has always stood and been synonymous with good citizenship.

We return to McCready's revival. He was reprimanded by his Church. One of his offenses was singing hymns instead of Psalms. The two Presbyterian churches in Logan County, the only two churches between the Tennessee line and Green River were closed to the Revivalists. All Kentucky was then under the control of the Transylvania Presbytery, so that the Revival party had a majority of one, due to the fact that a Methodist preacher named Haw was admitted to this Transylvania Presbytery. Some of McCready's young men were ordained and the revival party got control of the Synod and divided Transylvania Presbytery, erecting in the West (1805) the Cumberland Presbytery. The new preacher saw to it that changes involving doctrinal departures from the old Presbyterian style of preaching were introduced, so that the Western preachers and revivalists and their followers came to be known as the "Cumberland Presbyterians" even before they left the old Church to organize the new one. The young ministers, for the most part discarded the doctrine of reprobation. Objections were urged against their admission by some of the members of the Presbytery, and at their instance Synod Appointed a

commission to examine them on literature and theology. The Presbytery, however, refuses to submit the young men to examination, whereupon the commission cited the older members to appear before the Synod, and prohibited the newly admitted ministers from exercising their functions. The latter party then formed themselves into a council, and acted in this capacity until the General Assembly decided against them, in 1810. Then they formed themselves into a council and declared an individual and independent Presbytery.

They adopted the Presbyterian Confession of Faith and Discipling--dissenting, however, from the latter in not making a classical education a sine qua non qualification for the Ministry, and from the former, in maintaining there are no eternal reprobates, that Christ died not for a party only, but for allmankind, that all infants dying in infancy are saved through Christ, and sanctification of the Spirit, that the Spirit of God operated on the world, or as coextensively as Christ has made the stonement, in such a manner as to all men inexcusable.

Various phenomena occurring in this era, had the effect of intensifying the effect of preaching. There were meteoric showers, a comet, falling stars, unusually stressful summer heat, and at least one winter of intense and frightful cold. In September of 1803, an extraordinary snow of reddish hue, believed by many to be blood, fell in the vicinity of Turtle

Creek Meeting house. On June 15, 1804, there was a total eclipse of the sun. The great earthquake of 1811, capped the climax.

Mark Hardin, of Shelby County, Ky. a political figure of consequence in the history of the Commonwealth, on June 1, 1839, conveyed a lot to David Berry and Peter Goad, Trustees of Mt. Carmel. "In consideration of the respect which he has for the religion of the Lord Jesus Christ and a desire that his Kingdom of Earth may properly prosper and that a suitable place of worship may be created thereon and for the further consideration of one cent in hand paid, the receipt whereof is acknowledged, for the perpetual use, benefit and public worship of that portion or branch of the Church of God that is now styled and known as the Cumberland Presbyterian."

The witnesses were John Eaves, Jr; James and David Clark, John Eaves, Jr.; was a prominent merchant and farmer of the Pond river country, and Peter Good and David Berry were well known Cumberland Presbyterian preacher.

Charles Campbell, on the 13th day of April, 1834, conveyed to Eli Lansden, Harvey Graham, Mark Bone and John B. Hill, Trustees, for the Rose Creek Cumberland Presbyterian Church, the lot on which the old Rose Creek meeting house stood for many years. Mark Bone (son of John Bone) was a convert at Old Liberty in Muhlenburg, along with Charles Campbell, Adlai

Boyd, Samuel Metcalf Wilkins, and a half dozen more, all well known Cumberland Presbyterian Ministers. John Frank Williams and Sarah, his wife, on the 14th day of June, 1849; conveyed to Philip J. Simons, Watkins, F. Nisbet, Washington B. Smith, James W. Wilkins, and William Miller, the Trustees of the Cumberland Presbyterian Church, the lot where the Main Street Presbyterian Church now stands at the corner of Main and Federal Streets in Madisonville, Ky. (Methodism was organized in the woods of Ky. before the settlers ventured far from their forts and stations, when the Indian war-whoop might be heard at any time, and its early preachers and exhorters undertook their missions with all the daring of their comeers and braved the dangers, hardships and provations of the time. They were not the first in their field, for as early as 1775, William Hickman of the Baptist Church proclaimed the truths of Christianity in Kentucky, followed closely by David Rice, the beloved exemplar of the Presbyterian faith.

Samuel Tucker, William Wilson and Charles Burke suffered martyrdom at the hands of the Indians, Philip Taylor's arm was shot away, James O'Cull, Francis Acuff and Peter Massie, the "Weeping Prophet" were broken in body. Francis Poythress from privation suffered loss of reason. Whether Jacob Lurton, William McKendree, James Ward, John Bell of Hopkins, or Aquila Sugg was first among the Evangelists on the western waters of Hopkins is not stated with certainty, but Benjamin Ogden, pioneer of the faith, whose body lies in a neglected grave, one mile west of Princeron, doubtless was among the first. It is clear that the Methodists bore a conspicuous part in the Great Revival of 1800. The claim is made that it started, not on Gasper River of 1800. The claim is made that it started, not on Gasper River in Logan County, under

Presbyterian McCready, but in Nashville, (as it was then called, the French Licks) under the Reverend John Page, The Methodist. (Redford's Methodist in Kentucky, page 139)

Again it is said to have commenced under the labors of the brothers, John and William McGee, the one a local preacher of the Methodist Episcopal Church, and the latter a Presbyterian Minister in charge of a congregation in Sumner County, Tennessee. The results of the preaching the gospel of these men, with that of that son of thunder, James McCready, and of Rankin and Hodge of the Presbyterian Church, calling sinners to repentance, was astounding in its effect.

For once, both Presbyterians and Methodists shouted and got religion, and religious unity for once was realized. Its effects have been felt from that remote day to the present. The camp meeting institution was established and it spread throughout Ky. and Tenn. This form of worship in a country where there were no churches, where the people were too poor and scattered to build them, met the yearning for spiritual uplift and comfort. At well watered sites, throughout the west, spaces in the forest were built in rows or streets near by, for the accommodation of visitors from a distance. To these were resorted daily for weeks at a time a vast concourse of people of every class.

At the Cane Ridge Camp ground near Paris, Ky; more than 20,000 attended one meeting, coming in over 1400 vehicles, on horseback and afoot, while the grounds were lighted at night by over 500 torches, lamps and candles, the whold forming against the dark background of the forests a most impressive facade for a most impressive spectacle.

The same no doubt aided the results produced by the unrestrained exhorters. Excitement rose to the highest pitch, and confession and repentance were the order of the day. There was hysteria no doubt, and there was that modicum of vice which is found to accompany every large assembly, and this has been seized upon by some church Historians in condemnation of the whold scene, but thatlasting and permanent spiritual good was the result, is an incontrovertible fact.

Barton W. Stone, later an associate of Alexander Campbell, in founding the Disciples of Christ, was one of the preachers at Cane Ridge Camp meeting. The territory of Hopkins county in turn was included in the Cumberland, Logan, Red River and Hopkinsvill Circuits, and was visited periodically by itinerant preachers in the Methodist Circuit Riders. In McKendree's time the Cumberland District included with Western Kentucky, Central and Western Tenn; a part of Illinois and one Circuit in Missouri. There were no Churches or meeting houses, and the Circuit riders preached and exhorted in the open, or under improvised shelters, camp meetings on a small scale, or in inclement weather, in the cabin of one of the people.

The famous Bishpp Asbury held the conference in 1801, at the Bethel Academy at Russellville, when John Page and Benjamin Young represented the Cumberland Circuit, but he kept on his way to Tennessee without visiting the Pond River country. In one of his famous journals he speaks of visiting his kind friends, "The Woodsons at the ferry, "this was on his journey from Elizabeth town to Lexington.

John Page, Jesse Walker, Peter Cartwright, Edmund Wilcox, were

itinerants while Paran Cardwell, Isham Browder and Joshua Barnes, (the Balcksmith, and subsequently, Jailor) were local exhorters of the faith. Joshua Barnes had "traveled" one year, having been admitted on probation at the Mount Gerizim conference October 2, 1804; along with Edmund Wilcox and the bold, fearless and eccentric Peter Cartwright. Joshua Barnes is said to have been of ordinary talents. (Redford's Methodism in Ky., page 456.)

Quoting from this authority: The Livingston Circuit, which had been formed in 1803, under the indefatigable labors of Jesse Walker, had so extended its boundaries previous to the conference in 1804, had so extended its boundaries previous to the conference minutes of 1804, the work in this department is recognized under the style of "Livingston and Hartford" to which Jesse Walker and Joshua Barnes were appointed. Previous to the 1804 Conference, a quarterly meeting was held at Isham Browder's in Hopkins (then Henderson) County, embracing the 17th and 18th days of August, at which the Elder, Jesse Walker, Assistant Preachers, Miles Harper, Joshua Barnes, Thomas Taylor, James Asley, Wilay Ledbetter, Josiah Moors, John Travis, Benjamin Parker, Taylor White, Isham Browder, Pleasant Axley, and Moses Shelby.

Here we have the first record of the Methodist organization in the Hopkins County area. Before 1804, there had been "classes" and camp meetings and preaching. At that date there were no churches or meetings ~~and preaching~~ --A- houses of any demonination in the area, but societies existed, meeting here and there as "classes" led by a pious layman or traveling preacher. It was the heroic age of Methodism.

Of these exhorters and preachers, Louis Garrett, one of them, wrote, "They came with holy zeal and deeply imbued with the spirit of their mission. They commenced their labors in earnest and with good effect. These missionaries were in quest of souls and families were to be found. A word of pathetic exhortation was addressed to each individual, an ardent prayer, whether they tarried all night or made a call in the day time. Their preaching was characterized by simplicity and earnestness. They had few books, but these they studied throughly, they were Bible students and being "non concerned for this world" in matters of dress, they had room in their pockets for a small Bible, which they often consulted, and sought carefully to bring out of that treasury "things new and old."

Bishop Bascom later said, "they labored, suffered, triumphed in obscurity and want; no admiring populace to cheer them on, no feverish community greeted and gazetted them to fame. Principle alone sustained them, and their glory was that of action."

The personal appearance of one of these in action is thus described by a contemporary: "His person genteelly clad in a suit of black cloth--the coat made in the old-fashioned, round-breasted Methodist style, with the skirt reaching nearly to the floor, vest long, and rounded off at the corners, cravat white perfectly smooth in front, and back of the neck it was buckled. On his left is the old-fashioned, large fireplace, now (it being summertime) filled with bushes, intermingled with garden flowers, on his right, a small window, transmitting into the crowded room just a sufficiency of light to render the countenance distinctly visible, and impart a somber and solemn aspect to the whole scene.

Before him, as he arose, he had placed a plain split-bottomed chair, throwing across it his dark red silk pocket handkerchief, in his hands, resting on the back of the chair, he holds the old-fashioned family Bible."

We are fortunate in Redford's work to have such information of the life and labors of the group who gathered at Isham Browder's, in the Quarterly Conference of 1804, Presiding Elder Louis Garrett, who bore a conspicuous part in planting Methodism here in the West, was born in Pennsylvania, April 24, 1772. While he was yet a child his parents removed to Virginia, and thence to the then "far west". On the way, the father, Lewis Garrett died, leaving the widow with eight children in the wilderness. They, however, pressed forward with sad hearts, and accompanied by other immigrant families, reached Scott's Station, between Dix and the Kentucky rivers, where they halted and erected temporary cabins. This was in the autumn of 1779. Here they encountered sore difficulties. The winter was extremely cold, provisions were scarce, and the Indians hostile. Two of his brothers were captured by the savages, one of whom was a prisoner for 18 months, and the other was never heard from. The Garrett family became identified with the Methodists in 1786, but in 1790, a great revival prevailed in the settlements, under the ministry of Benjamin Ogden, James Haw and Barnabas McHenry. It was in this revival that young Garrett was awakened and converted. In 1794, Garrett became a traveling preacher, and for 12 consecutive years traveled and preached in Virginia, North Carolina, Tennessee and Kentucky. In 1804 he was Presiding Elder on the Cumberland Circuit.

His health having failed, he located for the season, and settled

in Tennessee. He afterwards returned to the itinerent work, and spent many days in the ministry, preaching on circuits, in towns, and in large districts. He commenced in Nashville the publication of the "Western Methodist", a popular weekly sheet, advocating the claims of the Methodist Episcopal Church, and also established a book store, with which for years he did an extensive business. Becoming involved in serious strife with some of his brethren, a severance from the church for a few years resulted. He, however, came back to the bosom of his mother, became a member of the Mississippi Conference, where he labored and preached with great success until his death at the home of his son, M. Garrett, near Vernon, Miss; April 28, 1857, in the 86th year of his life. Mr. Garrett was in person rather undersize, slender, but well formed. His face was finely chiseled, and his features were indicative of strength and sprightliness of intellect. His eyes were dark brown and very piercing. His voice was full and mellow, his accent and articulation superior, his manner very deliberate, and his sermons at the times overpowering. Indeed, he was an extraordinary man, and accomplished much for the church. He died in peace, yea, in triumph, and now rests from his labors, while his works follow him.

Thomas Taylor, a local preacher, to whose influence and labors the Church in Ohio and the surrounding counties was so much indebted for the organization of the early societies, was born in Frederick County, Va; February, 26, 1768, of parents poor, but of high respectability. His father and mother were reared in the Church of England, and endeavored to instill into their children the principles of Christianity. Independent in thought from early

childhood, he became impressed with the excellency of Methodism, and at 12 years of age, he was a member of the Church, and when quite young became a local preacher.

In 1802, with his small family, he came to the West, and was among the first to raise the standard of Methodism in the Green River country. The country being destitute of ministers, Mr. Taylor traveled extensively, having appointments at distances remote to his home, in the territory now embraced in Henderson, Hopkins, Muhlenburg, Butler, Grayson, Hardin, Larue, Hancock, Daviess, and McLean counties. To promote the welfare of the Church and to advance its interest, was one of the highest aims of his noble life. Without the advantages of early education, by close application to study he so far improved his mind as to become ~~elsee~~ one of the most popular and influential preachers in the Green River country. Usually plain, yet argumentative, he sometimes arose with his subject, and giving utterance to his own feelings, he would dwell on the beauties of religion, the sublimity of the Divine attributes, the deep and dying love of the Savior, and the horrors of the day of retribution, when justice shall be meted out. On occasions of this kind, his language would flow with that deep, intense, native sublimity, which no art or study can equal.

On the 25th day of April, 1836, he departed this life, at his own home in Ohio County, Ky. in full measure assured of a blessed immortality. He was the ancestor of the late Harrison P. Taylor of Hartford, Kentucky.

Jesse Walker, present at the quarterly conference of 1805

at Isham Browder's was admitted 1802 into the Western Conference on trial. His first appointment was to the Red River Circuit, which had previously been embraced in the Cumberland, and partly in Ky. In 1803, he was appointed to the Livingston, and in 1804 and 1805, to the Hartford. His labors on the Hartford Circuit closed his work in Kentucky. From this period, as long as he was able to travel and preach he occupied the most dangerous and difficult posts on the frontier. In 1806, his circuit was the Illinois, embracing all of what is now that flourishing State, In 1807, he was sent to the Missouri Circuit, to occupy the country embraced in that vast territory. On the following year he was returned to the Illinois Circuit, in 1809 and 1810, to Cape Girardeau, and again in 1811, we find him in Illinois, prosecuting with apostolic zeal his high and holy calling. In 1812, he was placed in charge of the Illinois district--then included in the Tennessee Conference and embracing the Missouri, Goldwater, Maramack, Cape Girardeau, New Madrid and Illinois Circuits--where he remained for 4 years. In 1816, we find him in the Missouri Conference, in charge of the Missouri District, over which he presided for 3 years. In 1819 and 1820 his appointments are: Jesse Walker, missionary, investing him with authority to extend his labors to the farthest borders of civilization and to plant the standard of the cross upon the verge.

In 1821, he was appointed missionary to St. Louis, and in 1822, was the Conference missionary in the State of Missouri. In 1823, his appointment reads: Jesse Walker to those settlements between the Illinois and the Mississippi Rivers, and to the Indians in the vicinity of Fort Clark. In 1825, he is in the Illinois Conference, and missionary to the Pottawatomie Indians, in 1828, to the Peoria, and 1829, to the Fox River Mission.

In the year of 1830 he has charge of the Chicago Mission, and on the following year he is Presiding Elder on Mission District, embracing 5 different charges, and also missionary to Deplain. His appointment for 1832 is to the Chicago District, and missionary to Chicago, and the following year to the Chicago Mission. This was his last charge, From the Conference of 1834 until his death, he sustained a superannuated relation. Among the preachers of his day, for sacrifice, labor and suffering, Jesse Walker stands without peer.

A young minister at the Browder Quarterly Conference of 1804, was Miles Harper, admitted 1802. He labored in Kentucky only 2 years, the first on the Red River, and the second on the Lexington Circuit, after which he was absent from the State for two years, but in the autumn of 1808, he presides over the Cumberland District, embracing within its territory the Red River, Barren, Livingston and Hartford Circuits. He was brilliant, eloquent, zealous and energetic, he left Kentucky in 1809, twenty years later he was charged with falsehood, growing out of a Church controversy and expelled. (Always declaring his innocence.) He continued to preach, and four years later was received back into fellowship, without compliance with the requirement of "confession and contrition."

James Axley was a native of North Carolina. In 1803 he was found in Livingston County by Peter Cartwright, then licensed exhorter, and invested with authority to travel in that portion of the State and gather into classes the few members of the Church scattered through the county, as well as others who might wish to join., and report to the Presiding Elder the plan for a Circuit.

Among those who joined the Church at this time, Mr. Cartwright, in his autobiography, mentions the name of James Axley. He speaks of him as being truly a child of nature, with a great deal of firmness and sternness about him, as well as efficacy, and as knowing nothing about polished life.

As a quarterly conference held for the Hartford Circuit, at the home of Isham Browder on Pond River, on the 17th day of August 1804, Mr. Axley was recommended to the Western Conference for admission or trial. His first appointment was to the Red River Circuit, as the colleague of Miles Harper. He begins his labors as an itinerant of October 23, and on this day enters in his Journal a prayer, asking God to bless his efforts to promote his cause. The Red River Circuit spread over a large extent of territory, including Henderson, Hopkins, Christian, Muhlenburg, Todd, Logan, Warren, Simpson and other counties in Kentucky, and extending far into Tenn. His journal shows his labors to have been arduous, his rides long, over roads and through swamps almost impassable, frequently swimming creeks that had overflowed their banks, to reach his appointments. The year was one of hardship, but Axley had counted the cost, and wherever he preached, his ministry was owned and blessed of God. Many were brought to Christ through his instrumentality. His records of his labors and the opposition with which he met, evince the eccentricities that distinguished him to the close of his life, while at the same time they show him to have been a man of much prayer, of fervent piety, and of inflexible devotion to the cause of the Redeemer.

At the Conference of 1811, he was elevated to the Presiding Eldership, in which position he continued traveling the Wabash,

Holston, Green River and French Broad Districts, until the Conference of 1821, when, in consequence of impaired health, he was sent to the Nollichuckle Circuit, as supernumerary. At the conference of 1821 he located, From the moment of his entrance to the ministry, Mr. Axley was a remarkable man, and was destined to make a deep and lasting impression upon the Church and the age in which he lived. Without the advantages of education, but his indomitable energy, his untiring industry, his fidelity to his work, and his faithful application to study, he became one of the master spirits of the Church.

A close thinker, and thoroughly familiar with the Bible and with the writings of the fathers of Methodism, he became an able expounder of the Scriptures, and vindicated with overwhelming effect the doctrines peculiar to his Church. Entirely original in the manner in which he presented his subject, yet using the patience of long experience and by using the plainest of language, he easily won the attention of his hearers and then enforced the great doctrinal, experimental, and the practical truths embraced in it.

His mind richly stored with the old poetry of our hymn-book, he quoted largely from the sacred Muse, with enchanting effect upon the vast assemblies who waited upon his ministry. Remarkable for his independence and decision of character, he was but seldom influenced by the opinions of others, and looked with indifference on the regard with which his own views might be met, alike insensible to the smiles and the frowns of those

around him, he would advocate with untiring energy any measure he might approve, or with equal vehemence oppose whatever might come under his censure, though he might by such a course drive from him, his last friend. With an inveterate hatred of slavery, he devoted much of his ministry to an effort to remove it from the Church. While traveling with the Circuit his tirades against slavery brought on him the censure of the Church, and also that of the community, most of whom were slave-holders.

His views were so ultra that he thought no slave-holder could be saved in heaven, or was a proper person to be admitted into the Church. Presenting these views from the pulpit he became so unpopular that he found it difficult to obtain food or shelter. He, however, remained in exorable, and continued to fill his appointments, until he was relieved by the Presiding Elder, who found him well nigh famished with hunger, and with only the unsightly remnants of his once comfortable garments. On this subject he never yielded or gave one hair's breath in his life.

He had a sermon which he preached occasionally, which he classed as his "Sermon on the Abominations." His abominations were Masonry, slavery, whiskey, tobacco and fashions. His text was, "Cleanse yourselves from all filthiness of the flesh and spirit." He generally drew upon his subject when he had a large crowd. On one occasion when preaching on it to quite a multitude of people, a number of diverse circumstances occurred

which were long remembered by those present. He first assailed Freemasonry. His great objection to it was that it was a secret. He said that he always despised secrets--that things kept secret generally were too bad to be told. He went on at such a rate, that a gentleman in the congregation arose and left. As he went out., Axley said, "That man has had the branding-irons ~~elpe~~ slapped to him, no doubt." He next turned his attention to the slave-holder, and became so offensive, that another person rose to leave--when the preacher said, "Pomp's task is about out, and he is going home to give him a new one." He next attacked the whiskey maker, taking the ground that of the maker, seller and drinker, the maker was the worst, that he was at the bottom of all the devilment that grew out of whiskey, that the selling and drinking would both come to an end but for the maker--that he ruined the corn which was intended for bread, and for the love of money made whiskey, when he knew it would ruin his neighbors, and that all hell could not produce a worse character. And on his head he stirred up one of his congregation, of whom he said, "It is about doubling time, and he is afraid his liquor will burn." He then introduced the seller and drinker, and presented the evil in all of its hideousness, when another man arose to leave, "Let him go, he is as dry as a powderhorn, he wants to wet his whistle." He then said, "he had alway s pitied drunkards, they were the injured party, and he was sorry for them, had often shed tears over them when he thought of their helplessness, their ruined condition, but his representations of the maker and seller were perfectly awful. He next turned to tobacco, and was very severe, especially on smoking

and at that day smoking was principally confined to women, men did not smoke much. He took the ground that it was useless and filthy, that they ruined their breath, burned up their clothes, and sometimes burned their house, children and all, with their filthy pipes. He said he would give them a piece of poetry on the subject, which he had composed himself, and then repeated the following,

Tobacco is an Indian weed,

And from the devil did proceed;

It spoils a woman, burns her clothes,

And makes a chimney of her nose.

An old lady in the congregation had borne with him as long as she could, and rose to leave in a very evident bad humor, when the preacher said very quietly, "Now if you will stop that old woman and examine her clothes, you find a dozen holes burnt in her coat." The old lady answered him back, slapping her pocket with her hand, "I wish to God I had my pipe, I would smoke this minute, just for spite."

Many anecdotes are yet told of him by the older preachers who knew him, that exhibit the eccentricities that marked his character. On one of his circuits, he was informed that a gentleman who was a slave holder desired to join the Church. While no statute of the Church forbade his admission, Axley resolved not to open the doors of the Church, and by this means keep out the applicant. Finally, another person, not a slaveholder, offering himself for membership, the preacher felt that he could not decline to give him the opportunity to join, when,

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to his mortification, the slave holder availed himself of the opportunity and also offered himself for membership. "There now, said Axley, You have done it. I have been afraid to open the doors of the Church here all this year, for fear you would join, but now you are in, and I can't help myself. But I will now tell you what you may depend on. We will make a preacher of you, never, nor exhorter, not class-leader, nor steward. You will have nothing to do but to pay and obey."

On another occasion, while conducting a class meeting, in which there was a German brother who was a large tobacco raiser, instead of inquiring in reference to his religious experience, he said to him. "Brother Funk, how do you come on worming?" The pious German replied that he did not understand him. "Why, do you have to worm these days?" said Mr. Axley. Responded Mr. Funk, "Ah, killen do worm on der vacker, very well, ve has kilt many more as all of dem." Mr. Axley then added, "You are the meanest people in this neighborhood I ever saw. It is all tobacco, tobacco, and you do not raise enough corn to feed my horse when I come around." The good brother somewhat excited, retorted, "Brother Axley, if you vill not deach your horse to eat der backer, dat is not our vault. Deach him to eat it, and den ve give him blenty." Retorted the indignant preacher, "Never, if Bob, my horse, were to chew tobacco, I would never speak to him again."

His opposition to whiskey making was as strong as his objections to slavery. This subject also he carried into the

classroom. On one occasion, his whole conversation with a brother in the class room was on the subject of making whiskey. He said he wanted to know what the still cost, and how much whiskey he could secure from a bushel of corn, and what he had to give for the corn, and what he could sell his whiskey for, how many hands it took to attend the still, and if the slop was not good for hogs, and at length said, "Well, now brother, come to the point, is it a genuine article? Will it bear a bead?" Going further he wound up by saying, it was quite a money making business, and that the brother was getting on very well in his way, and never said one word to him about religion. The effect was that, "How do you come on making whiskey?" became a saying in the neighborhood, and rang in the ear of the brother until he abandoned his distillery. He was once going home with a brother from Church, and the gentleman was having his peaches distilled into brandy. Just as they were approaching the house, Mr. Axley reined up his horse, turned up his nose, and said, "I smell hell." He turned off to the house of another brother. He would not stay where there was whiskey, if he knew it.

Mr. Axley at one time was in Knoxville when Senator Hugh L. White was in the congregation. The services were going on and the address was by another preacher when Mr. Axley arose at the close of the address and stood silently surveying the congregation. All were hushed in expectation. Every eye was on him, he then began: "My friends, it is a very painful but a very necessary duty for a minister of the gospel to reprove vice, misconduct and sin wherever found, and he assured I will not shrink from

the duty on this occasion. And now, pointing with his long finger, that sandy-haired man sitting yonder by the door, who got up and went out while the brother was preaching and stayed out so long, who got his boots full of filthy mud, and came in and stamped the mud off at the door, making such a noise that nobody could hear the minister, that man thinks I mean him, no wonder that he thinks so. It is a disgrace to the State that he should have grown up here and have no better manners. Now, my friend, I advise you to go home, and learn how to behave yourself before you come again to the house of prayer. But I do not mean this man."

"And now, pointing to his mark, that little girl about the middle of the floor, I should judge her to be about 16 years old, with flowers inside her bonnet, she that was giggling and laughing and chattering all the time the brother was speaking--she thinks I mean her. And she ought to think so. I am sorry for any parents that have brought you up, a girl of your age without modesty, and not knowing how to behave properly, that are to be pitied. Little girl, you have disgraced your parents as well as yourself. But I do not mean her. And now, that man, on the bench in the corner, who is looking up as bright as if he had never been asleep in his life, and never expected to be, but who was nodding, and bowing, and snoring all through the sermon, that man I think, believes I mean him. And indeed, he may well think so my friend, the house of God is not intended for a place of sleeping. When you want to take a nap, go home, take off your clothes, go, to bed, there is the place to sleep, not in Church. But I do not mean him."

Judge White, sitting on the front bench just in the face of the preacher, was all the time enjoying the fun, thinking it wonderful. He laughed, he rubbed his hands, he chewed his tobacco with the greatest vigor as each new offender was brought up he chewed more and more violently, till the floor before him became a puddle.

"Now, said the preacher, drawing himself up with a severe look, suppose you want to know whom I do mean. I mean, said he, pointing his finger true as the needle to the pole, I mean, that filthy tobacco-chewer, sitting on the end of the front bench. Look at those puddles on the floor, a toad would be poisoned in them, and think of the sister's dresses being dragged through such pollution!" Judge White's laughter was checked as suddenly as if a thunderbolt had fallen. Every eye in the congregation was instantly fastened on him. He had averred later, that he never afterward dared to chew tobacco in Church.

One evening, after riding all day without any dinner, he called at a house where the family consisted of a widow, a grown-up daughter and a number of children, and some servants, none of them religious. The lady and her family regretted his coming, and would not grant his request to remain over-night. No, he could not stay, they would have no such cattle with them. But he was loath to leave, the reason was, he knew, if defeated in

in obtaining lodging there, nothing remained for him but a berth in the dark woods, without food or shelter in inclement weather.

As he lingered to warm himself, the consideration of how he should manage to pass that dreary night, the thought of his forlorn condition as a homeless stranger, without money or friends, came like a dark cloud over his mind, and he sadly cogitated in silence. Then, as was natural in extremity, he turned his thoughts toward his Heavenly Father's house above, where he hoped some day to find a home free from the ills of mortal life. Being cheered with the prospect, without leave, introduction or ceremony, he began to sing one of the songs of Zion in a strange land, "Peace troubled soul, thou need'st not fear, thy Great Provider is near."

As he proceeded, his depressed feelings became elevated, the vision of faith ranged above and beyond the desolate wilderness he had just then been contemplating as the place of his night's rest and sojourn. The family were soon all melted into tears, the lady called a servant, ordered him to put the gentleman's horse into the stable and the daughter added, "Be sure to feed him well."

His oddities and peculiar eccentricities have been noted, and talked of, written about, again and again, but his strong and sterling excellencies of character must not be overlooked. In height he was nearly six feet, with a heavy muscular frame, large bones but little surplus flesh, his chest broad and full, features strongly marked, large mouth and nose, heavy, shaggy and projecting eyebrows, high and well turned forehead, dark gray eyes, that were remarkably keen head large, hair worn very short and smoothed down in front.

His dress was that of our fathers, plain and always made of homespun material, the coat cut in the regular old style and always contained more than a quantum of sufficient cloth. Indeed, it looked as though the pattern might have been taken at some time when he was swimming so loosely did it fit, and so boldly did it stand out in every direction. His vest, or rather what passed or was used for a vest, bulged and hung badly.

Moses Shelby, a lay confrere, (The Quarterly Conference at Isham Browder(s 1804) commanded a company in General Samuel Hopkins Expedition against Vincennes in 1812. This company was chiefly recruited west of Tradewater. He held no property in Hopkins County and died about 1836, leaving a young daughter, Mary Jane, who on the 14th day of November was bound to apprenticeship with William Howell, "to be instructed to knit and spin until she arrives at the age of 16." Her master undertook to provide said Mary Jane good and sufficient meat, drink and apparel, also lodging fit for an apprentice. He was to teach her or cause her to be taught, to read and write and arithmetic to the rule of three, and at the expiration of said apprenticeship to pay to Mary Jane three pounds, ten shillings and a decent suit of clothes.

There were other Circuit Riders, all devout men, who came in the years succeeding the Browder Conference. Nehemiah A. Gravens, a local preacher of Caldwell County, who frequently in the field did much to help, was one of them. Learner Blackman, one of the greatest of all, was the Presiding Elder of the Cumberland District in 1809, was influential over the district including all west Tennessee,

Madison County in the Mississippi Territory, Ohio and Breckinridge counties in Kentucky and all Kentucky between the Ohio and mouth of the Green river. The next year, 1810, he was reappointed and there was added to the District, the St. Vincennes Circuit in the Territory of Indiana. He was accidentally drowned while ferrying the Ohio on June 7, 1815. His Journal mentions the hospitality of the Browders.

Richard Richards (1808) a man of strong mind, well cultivated and once of great popularity and influence fell a victim to strong drink, and for many years was out of the Ministry, but returned in remorse and repentance, a mere wreck of his former self. The name of one Andrew Monroe, was familiar to the Church of the West, as a Minister of the Gospel for more than half a century. He spent his first nine years in the itinerant ranks in Kentucky. The first year on the Cumberland Circuit (1806) filling the Hopkinsville Station, including Christian and Hopkins Counties for one year. In the various fields of labor occupied by Mr. Monroe in Kentucky he was greatly beloved, by the Church for his devotion to the cause of Christ and he was remarkably useful as a Minister of the Gospel.

Samuel Sellers and Jacob Thurman also travelled the Henderson Circuit in 1808-9, this included Hopkins Count. John Travis, and William Burke came next. John Johnston, famous in the annals of Methodism, one of its ablest Missionaries and Debators rode one year. His wife in describing his appearance. He wore a wool hat which had once been white, and which he afterwards told me he had worn for seven years, a drab overcoat with a very wide cape, and arm

holes but not sleeves, and a shirt of the heaviest and roughest kind. His pants were of bottle green corded cloth, with a patch of black broadcloth on each knee, one foot, and the other a foot and a half long, with the legs slit up at the bottom for about eight inches on the corners, these taped over and pinned very tight around the ankles. His hair was nearly a foot and a half long, his face dark and weather beaten, his brows were black and heavy, and his countenance the most solemn I ever beheld."

Left an orphan in very early childhood, he was without any educational advantages at all, and learned to read and write after reaching manhood. By application in four years, while riding and preaching, reading, and by studying by pine knot torches at night, he mastered the poets, and he also mastered the field of English Literature, and then attained proficiency in Latin and Greek. His powers as a speaker was tremendous. He died at his home in Mt. Vernon, Ill; in 1858. Under the Methodist system the Circuits changed almost yearly its Districts and Preachers. It is impossible to do more than mention by name, John Lewis, Thomas Kirkman, William Hart, John Phillips, James Dixon, Francis Travis, Benjamin Malone, Samuel Brown and Caliborne Duvall, all were men of extraordinary genius. (Redford Methodism in Kentucky, Volumen 2 , page 232.)

Peter Cartwright, the unique, for seventy years a Methodist preacher, rode the Christian Circuit and preached often in Hopkins County. He was here as late as May 10, 1810; when he solemnized the rites of matrimony between Joseph Clark and Elizabeth Carmon. Wherever he was, he made his presence felt, whether in the pulpit or not. After leaving Kentucky, in 1832, he was defeated candidate for Representative from Sangamon County. Abraham Lincoln was also

defeated in that election. In 1846, he ran on the Democratic ticket for Congressman against Abraham Lincoln and was defeated. He was born in Amherst County, Va; in 1785, and was brought by his pioneer father as an infant to Logan County, Ky; which was then regarded as the farthest west, and as he says, had become the refuge of the debtors and of the lawless, so that Russellville had become known as "Rogue's Harbor."

Let Cartwright tell us in his own language how they lived in those days. "When my father settled in Logan County, there was not a newspaper printed south of Green River, no mill short of 40 miles, no schools with the name, Sunday was a day set apart for hunting, fishing, horse-racing, card playing, balls, and all kinds of jollity and mirth. We killed our meat out of the woods wild, and beat our meal and hominy with a pestle and mortar. We stretched a deerskin over a hoop, burning holes in it with the prongs of a fork, sifted the meal, baked our bread, ate it, and it was first rate eating, too. We raised or gathered out of the weeds, our own tea. We had sage, bohea, crossvine, spice and sassafras tea in abundance--We made our sugar out of the water of the maple tree and our molasses too. We raised our own cotton flax. We water-rotted our flax, scutched it, broke it by hand, picked the seed out of the cotton with our fingers. Our Mothers and Sisters carded, spun, and wove into cloth the garments and bedclothes they cut and made. "From such a boyhood we need not look for a "man clothed in soft raiment." Nor, a man using soft language or striking soft blows at the back-sliders. The rugged strength of the wilderness was in him, and he despised soft things.

"A Methodist preacher in those days, he says, when he felt that

God called him to preach, instead of hunting up a college or Biblical Institution, hunted up a hardy pony, or a horse, and some traveling apparatus, and with his library always at hand, namely, a Bible, Hymn Book, and Discipline, he started, and with a text that never wore out or grew stale, he cried: Behold the Lamb of God that taketh away the sins of the world."

In this way he went through the storms of wind, hail, snow, and ranging from the hills to the mountains, he traversed the valleys, he plunged through the swamps, he swam the swollen streams, lay out all through the night, or tied him to a convenient lamb, slept with his saddle or his saddlebags for a pillow, and used his big old coat or a blanket, if he at the time possessed either a blanket or a big old coat, for a covering-- he braved these hardships, his text was always ready, "Behold the Lamb of God."

"It was a part of my creed, he says, to love everybody, but to fear no one, but I did not permit myself to believe any man could whip me till it was tried." And no man who tried it ever succeeded. The following scene from his early ministry shows clearly the spirit of the opposition as well as the spirit of this defender of the liberty of the Gospel. Speaking of an unusual gathering on the rabble, who, as he was preaching at a camp meeting one Sunday morning, "Came the drunks, armed with dirks, clubs, knives and horsewhips, and swore them would break up the meeting. I was half through my discourse, two finely dressed young men marched into the congregation loaded with armament and with their hats on, they rose up and stood in the midst of the ladies, and began to laugh and talk."

He continues: "They were near the stand, I requested them to desist and get off the seats, and they cursed me and told me to mind my own business and said they would not get down. I stopped trying to preach and called for a magistrate. There were two at hand but I saw they were both afraid. I ordered them to take these men into custody, and they said they could not do it. I told them, as I left the stand, to command me to take them and I would do it at the risk of my life. I advanced toward them. They ordered me to stand off, but I advanced. One of them made a pass at my head with his whip, but I closed in with him and jerked him off the seat. It was then, that a regular scuffle ensued. The congregation by this time was all in commotion. I heard the magistrates give general orders, and they commanded all friends of order to aid me in suppressing the riot. In the scuffle I threw my prisoner down and held him fast, he tried his best to get on his feet, I told him to be quiet or I would pound him well. The mob rushed to the rescue of the two prisoners and an old and drunken Magistrate came up to me and ordered me to let my prisoner go. I told him I would not. He swore if I did not he would knock me down. I told him to crack away. Then one of my friends at my request, took hold of the prisoner and the drunken Justice made a pass at me, I parried the stroke, and seized him by the collar and the hair of the head, fetching him a sudden jerk forward and brought him to the ground and jumped on him and telling him to be quiet or I would pound him well. Then the crowd rushed to the scene, they knocked down seven Magistrates, and several preachers and others. I gave my drunken prisoner to another and threw myself in front of the friends of order. Just at this moment the ringleader of the mob and I met, he made three passes at me, the last time he struck

at me, by the force of his own effort he threw at the side of his face toward me. It seemed at that moment I had not power to resist temptation and I struck a sudden blow in the burr of the ear and dropped him to the earth. At that moment the friends of order rushed in, handling them all roughly, and seemed to subdue the mob by knocking them down in every direction. In a few minutes the place became too strait for the mob, and they wheeled and fled in every direction but we secured thirty prisoners."

Naturally such a scene on the Sabbath day filled the camp with confusion and depression, and none of the other preachers felt adequate for the occasion. But Peter Cartwright said to the Elder, "I feel a clear conscience, for under the necessity of the circumstances we have done right, and now I ask you to let me preach." This request was readily granted. The trumpet sounded and he mounted the stand and gave out, in clear and ringing tones, the flashing tesse: "THE GATES OF HELL SHALL NOT PREVAIL AGAINST IT." He says: "In about thirty minutes the power of God fell on the congregation in such manner as is seldom seen. The people fell in every direction, right and left, front and rear. I suppose that not less than 300 fell like dead men in night battle, and there was no need of calling mourners, for they were strewed all over the camp ground--- our meeting lasted all night, and Monday night, and when we closed on Tuesday there were 200 who had professed religion, and about that many joined the Church."

Such a revival to restore right thinking, right living, home training of the young in industry, in regard for decency, in respect for property, rights of others, in unselfishness, in manners, and in consideration for others, in short, sane and Godly living, may only await the leadership of men like these. There may lie the hope of reform.

These fascinating old characters made of martyr stuff, filled the need of the times, who knows but that in the fullness of time we shall see this like for power, and a lide revival? Nor should we disdain the manifestations of the emotional side of religion, shouting and the like. At political gatherings of minor importance and sometimes of a medocore appeal, at athletic contests, boxing and wrestling matches, base and football games, horse races too, the emotional spectators go as far, or further in their enthusiasm, shouting and demonstrations, "exercises" as any religionist ever idealistically did on nobler appeal. And no scorn, depreciation, criticism or ridicule follows, as it has done in the case of outbursts or religion enthusiasm. This peculiar attitude toward religious enthusiasm, has foolishly frozen to restraint and dignity most modern worshippers.

This idea was effectively brought out the other day in the Court House yard by one of our "streetpreachers." No tryst with God is a thing to be ashamed of, and no true Christian can be ashamed of his religion. If his make-up and disposition demands an outward expression of joy and enthusiasm, no false

sense of dignity or of formality need be allowed to repress him. The battles of Christianity have been won, and always will be won by earnest enthusiasm, and not otherwise.

A meeting house had long stood on the lands of Isham Browder, known as Browder's Chapel, and had become out of repair and unsuitable for further use when Isham Browder and Elizabeth, his wife, on August 23, 1821, conveyed the lot to James Hicklin, Isham Browder, Jr; Stephen Ashby, John Ashby, Paron Cardwell, Arthur Slaton, Elias Smith, Stephen Murphy, and Henry Harmon to build a new house of worship for the use of the members of the Methodist Episcopal church in the United States of America according to the rules and discipline thereof agreed upon and adopted by the ministers and preachers of the said Church at their general conferences and in further trust and confidence that they shall at all times forever hereafter PERMIT SUCH MINISTERS AND PREACHERS BELONGING TO SAID CHURCH AS SHALL FROM TIME TO TIME BE DULY AUTHORIZED BY THE GENERAL CONFERENCES OF THE MEMBERS AND PREACHERS OF SAID METHODIST EPISCOPAL CHURCH OR BY THE YEARLY CONFERENCES AUTHORIZED BY THE SAID GENERAL CONFERENCES TO PREACH GODS' HOLY WORD THEREIN. The deed provides for filling vacancies in the body of the remaining Trustees: and that the trustees shall have a right to raise money to apply on their personal advances by mortgage upon the property. All persons as well as the Methodists are to enjoy the privilege of depositing their dead in the burying ground of the premises. Isham Browder was one of the first Justices of the Peace of the county, and later Sheriff and always

a leading citizen, of high standing and considerable wealth. His descendants were Isham, Jr; John and Thomas.

James Hicklin settled in Hopkins County in 1816. He died in 1856, and his children were Thomas, William, Permely, wife of Robert A. Brown, Sarah, wife of Willis Smith, Mary, wife of James Compton.

Pioneer Stephen Ashby was the son of Stephen Ashby, a Revolutionary officer, from Virginia who came to Kentucky and settled in Mercer County first and then later to Hopkins. He was one of the first Justices of the Peace, and the founder of Ashbysburg in 1829. He sleeps in old Salem burying ground, where his gravestone recites, he was born in October 14, 1776, died October 1, 1841. His children were Nancy, wife of Lewis Fugate, Tabitha, wife of Enos Ashby, Mary, wife of William Ashby, Priscilla, wife of Thomas Prather, and Catherine, wife of Austin Smith. Also listed among his children were, Prather, and Stephen Ashby, Jr; He was first Colonel of the 76th Regiment and later a General in the Militia and one of the leading citizens of his time. Other children of Stephen Ashby were, Vincent, Rosa, wife of Lewis Ashby, and John Ashby, who died in January, 1831. His children were, John, Jr., Enos, William, Stephen, and his daughters were the wives of Vincent Howell, (Nancy) Daniel Ashby, (Sally) John Crabtree, (Lucinda) Enos Ashby, (Emily) and Adwin Robertson, (Matilda) and John Stegal married an Ashby.

Pioneer Paran Cardwell was anative of Mercer County, Kentucky; and the local Methodist preacher. He is buried in Providence Churchyard, the headstone showing no dates of birth or death.

Pioneer Elias Smith died in 1833. He lived near the crossing of Pond River and the lower Greenville Road, he was a Miller and a Ferryman, built the first bridge over Pond River. His children were Willis, Elijah, Elizabeth, wife of William Anderson, Polly, wife of David Browder, and Elinor. The Niblocks, Lowery, John, North America, William and James, were his step-children.

Stephen Murphy was the son of pioneer Stephen Murphey. He married Lydia Givens in 1815, and died October 21, 1838. To his son, Stephen, he left by will his rifle, he had served as a private soldier in Captain William McGary's company at the Battle of the Thames. Henry Harmon was the step-father of Stephen Murphy and lived on the old Stephen Murphey lands.

Pioneer Arthur Slaton died in 1843. Martin, Nancy, wife of the Reverend Cardwell, a Methodist preacher, and William Slaton were his children. In 1811, Lemuel Harvey, a local preacher, formed a class at the home of Joseph Arnold, near the mouth of Pond River, now McLean County, then Muhlenburg county, and this class was composed of General Stephen Ashby, Joseph Arnold, Arthur Slaton, Hohn arnold, Hannah Arnold, William and Margaret Faith. The order book of the county court shows that in 1809, Reverend Lemuel Hargey (erroneously stated to be an Episcopal Minister) was authorized to solemnize the riges of matrimony.

A Methodist Church, the first house of worship built in Louisville, was erected in 1811 on the north side of Market Street between 7th and 8th streets. About the same time, the meeting houses were also built at Russellville, Hartford, Providence, (near Hanson) and Browder's Chapel in Hopkins county. Lexington, Flemingsburg, Logan, Clark and Shelby counties had older meeting houses. The Hazel Creek Baptise Church in Muhlenburg county had then been built. There was no church of any kind in Frankfort, Ky; the capitol. Bishop Ashbury, in his Journal of 1810, "I came by lowly seated Frankfort, here one finds elegant accommodations provided for those who make the laws, and for those who break them, but there is no house of God."

On September 30, 1819, Bounds and Elizabeth Ashby, did convey to William Noel, William Berry, Thomas Prather, Alexander Ashby, and to George Timmons and their successors as Trustees, the lot upon which the meeting house then stood, containing one acre, this was for the use of the Public as a Church. This grant of one acre was very near to the preagent Free Union, otherwise classed as High Glory, and while

intended and used for general worship and as a School House, was often filled by the early Methodists.

Pioneer Bounds Ashby was the son of Henry Ashby, and came to Hopkins from Mercer. He died January, 1832, survived by his widow, Elizabeth, his children, Polly, wife of Thomas Orton, John, William, Henry, Patsy, wife of Willis Ashby, Mrs. Orton, children were Betsy Ann, Letty, Virginia, Katty, Martha, Thomas, Edward, and Henry. Argyle and George were his brothers and Mrs. Vincent Fugate his sister, also Mrs. Betsy Campbell. He and his good wife were buried in the neglected family burying ground on his old home farm about 200 yards ~~west~~ north of the present Free Union, or High Glory Church, on the Island Ford Road. Their well cut and well preserved gravestones of sand rock bear inscriptions--Bounds Ashby, born 1774, died 1835, age 84 years. Near by are the graves of his son, Henry Ashby and Elizabeth Brown, his wife, and her father, Pettus Brown, and her mother, Mary Jeffræ Brown, the father and mother of Jack Pettus Ashby.

Alexander Ashby lived near the Spring Lake in what is now the south part of Madisonville. His farm of 500 acres extended a little ~~north~~ of Lake Street. He left a large family, Dorothy, Charles, Mary, America, John Carlisle, Susan, Frederick, Robert, Emily, wife of David Dunkerson, Lloyd, and Benjamin S. He was a brother of Willoughby Ashby. He

held a commission in Captain Michael Wolf's Company as Ensign in Hopkins Expedition to Fort Harrison in the War of 1812.

George Timmons lies in one of those old-time boxed graves, a tomb of dressed sandstone on the roadside of his old farm at the head of Timmons Creek, a tributary of Elk. It bears this inscription: To the memory of Captain George Timmons, a Soldier of the Revolution, born in the year 1760, died April 6, 1845. This tomb is erected by his friends and fellow citizens of Hopkins County, Ky. Tradition says its dedication was the occasion of barbecues and of patriotic oratory., attended by an immense concourse of people. He was the father of Sally, the wife of Jefferson Branson, Nancy, wife of James Prather, Fielding Timmons, Hannah Timmons, Ann, the wife of Bayless Branson, George, Jr; and other children. He served as a private soldier in the Revolution, in the Virginia line, the title of Captain being given by his commission as a company commander in the 76th Regiment of the Militia.

Pioneer Thomas Prather, an emigrant of Mercer County, was one of the Assistant Judges of the Hopkins Circuit Court. His grave in the old Ashby burying ground on Otter Creek, under the tangle of honeysuckle and myrtle, is marked by a rough slab of sandstone, poorly, almost illegibly marked, Thomas Prather, without any dates. His children were James, John, Stephen, Philip, Rebecca, wife of Nathaniel Ashby, Ellender, wife of Joseph Crabtree, Letty, wife of Charles Murphy, and Ross.

Pioneer William Noel, another Mercer County man, the Madisonville Tavern keeper, was a Trustee of the Hopkins Academy, held the office of Jailor, and was the father of Dr. George W. Noel, and of Thomas Jefferson Noel, William Carey Noel, Benjamin and Virginia, Narcissa Allen and Lockay H. Woodfolk. He was subsequently named as a Trustee in the deed to the first Church in Madisonville (on south Main st) donated by Alexander Ashby for the "worship of all Christians." So far as the record goes no meeting house was ever erected on this lot donated by Alexander Ashby.

Naturally, as might be expected, there were all kinds and conditions of Ministers, and communicants, and culture, refinement, dignity, orthodoxy, were sometimes at a discount, but the personalities, the informality and originality were often most engaging. It is related that one occasion an old time Minister was holding forth in the woods lot of Uncle Billy Gordon, whose hospitality he was enjoying. Surrounded by his flock sitting or reclining on the ground, he discouraged in a highly singsong key, throughout the summer's afternoon: Uncle Billy lay back against a hackberry tree, legs crossed, one eye closed, sighting between his bare toes, alternately listening and then looking at the setting sun. Predestination was his theme, and as the sun grew low, the Preacher tightened his red bandanna around his narrow waist, and started afresh, his eye falling at the moment on a somnolent disciple. He intened: "God knows, afore time was, that right na-ow,

Pawpaw Nose Jim Freeman, would be a layin' thar asleep, uner that thar ellum'l" Uncle Billy uncrossed his legs and rose to leave and stretched, saying, "Well, Bud, sich bein' the case, the Lord knows its time for me to do the chores, when you git through, come on the to house."

One early citizen earned the soubriquet of "Salt Cellar Jim." Having sold his tobacco crop to advantage at the Red Banks, in vanity he purchased two large salt cellars of glass, these to take home to his wife, as a great luxury and rarity. The evening was well advanced as he reached Providence Church on his homeward way. A meeting was in progress there, qNow, be it known, that Brother James as a devout Methodist, not only a shouting Methodist, but a "bench walder" as in moments of exaltation, he would dance from one bench to another, shouting all the while, so he stopped in at Old Providence, and listened to the sermon. As he did so, he warmed with the efforts of the exhorter, but kept his seat, as his purchases of glass-ware were tightly wedged in his capacious pockets, and he feared to break them if he started shouting and bench walking, but his fingers were working his pockets. The Preacher, warming to his subject, declared! "There is one in the sound of my voice, a man who is worshipping idols, who is letting temporal possessions, vanities, the gewgaws of this world, the lusts of the flesh obscure the way of spiritual light and joy. Cast down your idols! Brother Jim's hands came out of his pockets, the salt cellars flying high and wide,

as he shouted: "Glory, Glory, Hallelujah!" So ever after he was "Salt Cellar Jim."

First in the field of religion on the western waters were the Baptists, for while the Reverend John Lythe of the Church of England had preached at Boonesborough in 1775, the current antagonism prevented the Episcopal Church from receiving any encouragement in the new settlements--even the Methodists had shared in this disfavor .

In 1776, William Hickman, a soldier of the Revolution, began traveling among the stations confirming the Baptists memberships in the faith. Probably his ministrations did not extend as far west as the Green River. The Hickman family of Hopkins County claim descent from him. His remains have recently (1928) been removed to the Frankfort Cemetery with military honors.

In John Bourland, one of the first pioneers in the Pond River country, the Baptist Church found its leadership there for nearly fifty years. During this time were founded many Baptist Churches where the voices of John Bourland and such traveling preachers as might come this way were heard. He, with others, "constituted" the first Church founded in Union County, Highland, March 17, 1802. This is probably the oldest church west of Green River. William Bourland and Van S. Teague constituted Grave Creek Church, then in Henderson (Hopkins)

County, in 1803. William Bourland was its first pastor. This Church was later moved to Henderson and is the oldest Baptist Church in Henderson County.

Terzah Meeting House near Vandersburgh, was early built, but the site was not conveyed to its trustees until on July 20, 1822. Reuben Owen, himself a licensed preacher delivered the deed. The Trustees are not named, but the deed is witnessed by Edward Thomas, John Schoolcraft and John Gates. This site is now abandoned, corn is being grown there now. Reuben Owen held a commission as Major in the Ky Militia.

Providende Baptist Church was also built and in use long before its lot was conveyed by Samuel and John Whitesides on May 20, 1824. The Trustees were, John Montgomery, Alexander Henry, and Eleazer Givens, (Eleazer Givens was of the first wave of pioneers) and a gentleman of the old school, and held the love, respect and confidence of his community, and was a leader in religious, educational and civic life. His sons were Dixon, Robert and Thomas. He had several daughters. Eleazar Givens was a trustee of the Hopkins Academy, a Justice of the Peace, and his name appears frequently in the early records of Hopkins County.

Alexander Henry was a Justice of the Peace, a Colonel of the 76th Regiment, and highly respected as a citizen.

John Montgomery was a soldier of the Revolution and another pioneer of high standing, a Trustee of the Hopkins Academy, whose descendants maintained his record. His children were Mary, Malinda, Montgomery Cook, Matilda, wife of Robert Christian, Robert, Margaret, Emily,

Fountain, Jerome, George and John F.

$\frac{7}{8}$ Samuel Whitesides died (1841) survived by his widow, Sarah Winstead, but no children. James Steele, Samuel Usher and Samuel Henderson were his nephews.

Cane Bun Church near Carbondale is an ancient church in origin. John Malin in 1819, conveyed to the Baptist society under the care of Reverend Henry Garrard, the lot of one acre upon which the meeting house already stood and was in use. The side with its extensive burying ground is now abandoned and grown up with woods.

John Malin came to Hopkins County in 1809, from North Carolina, settled at what is now Carbondale, and for more than fifty years was the foremost citizen of his section of the county, doing right and standing firmly for the right at all times. He served as a private in the Company of Captain Michael Wolf, 1st Kentucky Mounted Militia, in General Samuel Hopkin's Expedition against the Indians in the fall of 1812. He served also as a Justice of the Peace.

His body now lies buried in an unmarked grave in Cane Bun Burying Ground, within a few feet of the site of his earthly mansion of which no trace remains. He married Polly Laffoon, daughter of pioneer William Laffoon and sister of Mark, Rutherford, and John Laffoon, all pioneers. His children were Arnold, Harriet, wife of Walker Webb, Laurey, wife of Robert Hill, Alney, John, Jr. Massinah, wife of David Davis, Elizabeth wife of Thomas Williams, Marish, wife of Thomas Helm Finley, Matilda, wife of Swager Craddy, and Nancy, wife of Washington Castleberry.

New Hope Site was conveyed by Samuel McGregor to Henry McQuade, George Clark, and James Franklin, Trustees, on August 8, 1826. Henry McQuade, removed in 1839 to Calloway County.

Flat Creek was conveyed by Daniel Fox, Sr; William Davis Sr. and William Lovan, the Trustees, on January 3, 1824. Timothy and Barnabas

Sisk were the witnesses. Meeting Houses already stood on these lots. Flat Creek Baptist Church was constituted in 1803.

William David, Sr., was a settler from North Carolina, locating here before 1807. His tombstone tells his history.

Erected to the memory of

WILLIAM DAVIS

Born June, 1761,

Died February 6, 1838

A Revolutionary Soldier and Hero of King's Mountain

His life was devoted to religion and to the good of mankind.

His children were William, Vincent, Jacob, Betsy, Polly, Rebecca, Katharine and Hannah.

James Lovan was the son-in-law of William Bourland, and died in 1842. His children were Oliver, John, Prior, William, James, Dorilda, wife of Felix Miller, Evaline, wife of Ellis Littlepage, Louisa, wife of Thomas O'Brian, and Jane Elizabeth. There is no record of the beginning of the service of the Reverend Henry Garrard, 1817, is the year in which the Hopkins County Court authorized him and also Reuben Owen to solemnize the rites of matrimony. His neighbors were Samuel Thomasson, Benjamin Bourland, James Berry, William Gordon, Thomas Davis and Caleb Hall.

He conveyed the land on Stewart's Creek to George Olham and Reuben Rickets, in 1821. He was the son-in-law of William Bourland. In 1821, he removed to Luderdale County, Alabama; this was after the establishment of Cane Run.

The Reverend John Bourland performed marriage rites for no less than one hundred and twelve of the flock, begining with Joseph Lovan and Hannah Bourland, daughter of William Bourland in Woverber of 1800, and closing with his last act of officiation at the marriages of Thomas O'Bryan and Louisa Lovan, on March 23, 1843. and of Charles Todd and Elizabeth Jane Nisbet, in September 27, 1843. This was shortly before the end of his long exemplary and useful life.

We have no record of his ordination, which must have occurred before 1800. He was a farmer, as well as a Preacher. The duties of citizenship and neighborliness were performed by him throughout his life--he wrote wills, faithfully administered estates, and commanded the confidence and respect of all during his lifetime. A. Bourland was his helper and successor in the ministry, as nearly 1829, as we can trace. His son, Slaton Bourland, and his grandson, Thomas Bourland, were prominent and prosperous citizens of the community. Daniel and Samuel Brown, of Eddy Grove, Caldwell County, also officiated here. They both taught school and preached before 1818.

No Hopkins Couney Church appears as a member of the Red River Association, when separated from the Cumberland Association April 16, 1807.

but Flat Creek, New Hope, Terzah and Providence appear at the division of the Red River Association and the organization of the Little River Association "The Saturday before the 2nd Lord's day in August, 1813," Toward the end of the pioneer period with which this account is now dealing, this occurs,. Reverend William Kincheloe, of Muhlenberg County, and Thomas Ezell were preaching in the County as early as 1811. So great the field and so few the laboreres, that often no Minister could be found to solemnize the rites of matrimony between parties, such conditions resulted in the embarrassment of Squire Thomas Adams, relieved by the following Legislative Act.

ACT FOR THE RELIEF OF THOMAS ADAMS

Whereas it is represented to the General Assembly, that a certain Thomas Adams in the County of Hopkins, A Justice of the Peace, did celebrate the rites of matrimony between John Daughtery and Susannah Parker of the County aforesaid, that the said Adams was induced to do so, in consequence of there being no Minister of the Gospel, nor a Justice of the Peace, properly authorized for that purpose in the County, and whereas the said Adams in apprehensive of a prosecution for a violation of the law; be it therefore enacted by the General Assembly, that the said Adams shall be, and he is hereby exonerated from all the reims and penalties inflicted by law on persons who celebrate the rites of Matrimony without being legally authorized to do so. This act shall commence and be in force from and after its passage.

Approved: January 25, 1809. Charles Scott, by the Governor--

J. Bledsoe, Secretary, William Logan, Speaker of the House of Representatives; Gabriel Slaughter, S.S.

Pioneer Thomas Adams, was the son of James Adams of Mercer County, one of the first settlers in Wier's Creek Country. James Adam's widow was Agnes, his children, Wilson, James, Thomas, Andrew, Caty Bone, Polly Davis, Jenny, and Matthew and Robert. The last two, soldiers in Captain Wolf's Company, in Caldwell's Regiment, Hopkins Expedition, was of 1812...Alexander, who died in his father's lifetime, survived by his sons, Jesse and James. Robert and Matthew removed to Lawrence County, Missouri Territory. Squire Thomas Adams was survived by his widow, Elizabeth, and his children, William, John, David, Thomas, Ann, Patsy and Nancy.

Madisonville took its name from James Madison, Secretary of State, that peculiarly vague personality, scholar, public man, Statesman, nation-builder, and of whose life, character, although apparently open, little is really known. Leaned in Divinity and Law, Diplomacy and Statecraft, advocate of strong central and National Government, he more than any otherman, save the great Hamilton, brought about the framing and adoption of the Constitution of these United States, some say it was against the pertinacious resistance of Jefferson, and then, as it was ~~against the~~ said, a calculator of expedients and more noted for keenness of intelligence than steadfastness of character. In the succeeding years, he became Jefferson's Chief Aide and Counsellor, and his Secretary of State. He was champion of free navigation of the Miss-

issippi, and the leading prospective candidate for the Presidency in 1808. These conditions and considerations probably led to the choice of the name for the new town, and new seat of Justice.

The Berry's came from King George, County, Virginia; Madison's birthplace, and Esquire Joseph Berry on this account may have suggested the name. A tradition has it that Samuel Woodson, the young clerk, proposed it. The Justices adopted the name, and in turn directed the County Surveyor to lay off the streets of the town and the lots, and then appointed Trustees to sell the lots in 1807.

It had originally been the intention to lay off the town in the form of a parallelogram of 40 acres with the long dimensions east and west with the Court House fronting on a street along either its north or south line, so that Daniel McGary and Solomon Silkwood, donors of the site, might each lay off lots on their respective lands, along the streets fronting the Court House. It was found that to follow this plan would take several acres of McGary's clearing. To avoid this, placing the Court House on the trail running east and west, now Main Cross Street, and on the military line between McGary and Silkwood, it was necessary to lay off the town in a long parallelogram with the central Main Street on the military line, 20 acres from each donor being laid off on each side of their line, the land taken from McGary to embrace his woods

lot as far as 297 feet east of the military line, at the center of Main Street. How the lots were laid off, and sold by the Trustees, and the names of the purchasers has been told. The market for the lots was very limited, and but few were bought with a view to immediate improvement.

Trees of oak, poplar, gum, hickory, hackberry, elm, and sycamore of great size and height, of the forest primeval, covered the site. Enough of the trees were cut out of the streets to enable them to be used for the passage of wagons or the more frequent slides, but no improvement of any kind was attempted. There were no sidewalks for 50 years, and few or no ditches ploughed at the sides. Around the north and west sides of the Court House Square were hitching racks built of peeled saplings, where country people might hitch their horses and feed and park their wagons or carts, with their solid wheels of sections sawed from large gum logs.

Both streets of the town were mere paths, running along among the trees and stumps, dusty in the summer, except for an occasional perennial hog-wallow, where the swine could comfort themselves from the attacks of the buzzing flies--in the winter, deep mud, everywhere.

The Tavern had a platform or porch in front, perhaps 30 inches above the street level, just high enough to afford easy access from the wagons, an the receipt and discharge of passengers

and merchandise. This provided and afforded excellent accommodations for the citizenry who assembled in sage, leisurely discussion on warm days, of religious dogma, doctrine, land laws, problems, news, public affairs and public men and morals. Also, the anecdotes of personal experience, both serious and of a racy humor, the forum of well-informed public opinion. In inclement weather, these were adjourned inside to the warmth of the large open fireplace with its blazing logs. The discussions went on very deliberately, the few sage and reverend elders who smoked, punctuating their discourse by leisurely drafts upon their long, stemmed clay or corn pipes that were made of cobs, while the non-smokers contemplatively whittled out shuttles for the loom, netting needles, checkers, tool handles, toys, butter-paddles, dowel pins or roof pegs, or a hundred small useful articles of wood or just whittled to be a whittling, and the young listened and learned, were instructed and amused by truths in turn. Everyone chewed tobacco, but with a certain dignity, as a cow will chew her cud, practice in spitting developed a high degree of accuracy, woe betide the fly which lit within a range of 15 feet or so of one of them.

The time of a listener or participant was not wasted. The farmers came to town to exchange their views, and the personnel of the groups constantly changed, for there were very few of the idle class of absolute and perpetual leisure to be gathered together from the near neighborhood of the hamlet. Smoking and whittling as arts, are almost lost in these days. Both take

time and plenty of it. Whittling is gone from us, a gentle art, amusing, ingenious, mechanical, sedative, an exercise, not exactly mental effort, one, which in the last century, while involving some little depletion of our timber resources, was the source of much and restful comvort, and the concomitant of soul satisfying lucubration. Its honorable traditions are preserved by but a very few of our people in this day of hurly burly and turmoil. In these avocations was laid the foundation of customs of leisure practiced throughout the country.

But to return to our village. In 1810, Madisonville was a stragling hamlet neighboring its little log Court House and log jail. William Noel, the shoemaker, occasionally the sactioneer; sometime keeper of the stray pound and Jailor, kept the Tavern in his two-story log house at the north-west corner of Main and Main Cross Street. There could be had, for stated scheduled prices, accommodations for man and beast, food and lodging for the traveler and provender for his horse, also alcoholic beverages.

These factors made the Inn the civic center and general gathering place for the citizens on public days. There month-old newspapers were to be found, setting forth the doings at Washington and Frankfort, and there all local news was cleared and disseminated, going along with endless religious and political discussion and debate. Every traveller was received with innate friendliness and courtesy, which carried with it no inhibition

of what, in other times and at other places, might seem impertinent curiosity. The pioneer expertly, insinuatingly and diplomatically interrogated him on every subject, from world and national affairs, to the most intimate of his own business plans and prospects with a starved and insatiable curiosity. For to them, a traveler was an event, and this fact, made his news and personality, a subject of nice weighing and discussion for days. The tavern's breakfast hour was at day-bread, dinner at noon, and supper at six, to which the summons was the ringing of the great bell at the entrance, food was plentiful, the cooking excellent, and the table served with no compromise of dignity by mine host in person.

To accommodate those stained with travel, or with prejudices in favor of washing, the wash-hand-stand with basin, and bucket of spring water with ready goured, stood on the back porch. Soap was rarely, if ever used. The towel was of good rough homespun flax, but of an uncertain tour of duty.

By 7 or 8 all would be abed, save roisterers, or the flaming youth who might be up an hour later, or on the occasions of the country dances, now and then held in its big room, where the light of the blazing logs in the great fireplace flickered on the walls of logs, and the hams, red peppers, and gourds hanging festooned from the beams, and on the few bottles shining on the rough bar at the far end.

There came the youth and beauty from from far and wide. Far into the night, sometime till dawn could be heard the merry din, the scrapping the noise of the fiddle in old folk tunes, and the voice of the stezor, who called the dances---

S'lut yer pardner! Let her go!
 Balance all an do-se-do!
 Swing your girls and run away!
 Right and left and gents sashay!
 Gents to right and swing er cheat!
 On to the next girl an repeat!
 Balance next and don't be shy!
 Swing yer pardner an swing er high!
 Bunch the gals and circle round!
 Whack yer feet until they bound!
 Form a basket! Break away!
 Swing an kiss an balance all!
 Lift yer hoofs an let em fall!
 Swing yer op'ites! Swing again!
 Kiss the ladies if you kin!
 Back to pardners, do-se-do!
 All the hands an off you go!
 Gents Salute yer little sweets!
 Hitch an promenade too seats!

There was a room for guest upstairs in which there were three large beds, feather beds at that, but when these

were filled, shakedown of straw in the big room were accommodations afforded the surplus guests, as during the sessions of the Circuit Court.

Back of the Tavern, which fronted Main Street was its wood pile, with a plentiful stock of logs for firewood, further west on Main Cross Street, its log stable or stock barn. North of the barn, the site now covered by the railroad, was the Noel family burying ground, the last resting place of mine host, William Noel and his wife, the servants, the site of which is now covered by the railroad embankment.

The rest of the block north of Arch Street was the woods pasture, low lying at the north end, enclosed by a worm fence of rails, north of Arch Street on the west side of Main, near where Dr. William Ross once resided, was the cabin of Michael Anderson, who farmed a small tract to the west, bought by Solomon Silkwood, Across the street from Michael Anderson, was the cabin where Argyle Ashby, the bachelor, and his sister Ellender Ashby dwelt, on the east side of North Main. Southward from the Ashby home was principally woodland.

William and Thomas Cardwell's first store was located on the lot where the Messenger Office now stands, but it then belonged to William R. McGary. The Cardwells a little later lived in their cabin on their own lot, on what is now Federal Street. McGary owned another cabin around the corner of Main Cross

Street where Presley Pritchett lived and worked at the Hatter's trade. This cabin stood on the Baker and Hickman lot. Union and Court Streets had not been opened then.

The Hog-Eye Block, owned by Caleb Hall, was the site of another cabin and store fronting Main Street, then came Wm. McGary's log residence near the site of the Main Street Christian Church. McGary was licensed to conduct a tavern at this house and set up in competition to William Noel.

Further south on the other side of the street was the cabin of Robert and George Hooker, near the sites of the Chesley Simpson Williams residence. North of this was the log house of Moses Brown, the Tanner, on the Dulin residence lot, and then that of Reverend Joshua Barnes., the Blacksmith and Jailor, where the George M. Davis residence now is, and near by, but north of Broadway, was his Blacksmith shop.

The Cabinet and Carpenter shop of Alfred Hewlet and Peter Matthews, was at the intersection of Aaron's Alley, with a sunken area or pond in the rear, extending across sugg Street. William McGary's log store came next on the Kentucky Bank & Trust Company corner.

Thus in 1810 were sheltered the 37 inhabitants of the villiage. Of these, 11 were adult free white males, their wives, three women, ten boys, four girls, one free negro and 8 slaves.

Moses Brown had sunk a tanyard on a small scale, along the branch below the Public Spring. Michael Anderson worked odd times as a carpenter and gunsmith, and Hewlett and Matthews were the builders and contractors, and also the cabinet makers.

The population of Henderson County in 1800, was 1468. Henderson County included all of Hopkins, Union, Webster, and in 1810, was 2964.

Green-ville was then a similar village with 75 inhabitants, Henderson Town had a 159 all told. Elizabeth-town, (Hopkinsville) had 139, Louisville 1357. They had post-offices and postmasters but Madisonville had none until 1813. The inhabitants of Madisonville and Hopkins County must needs get their letters as best as they could from the Henderson and Greenville offices.

The bringing in of exotic supplies such as tea, coffee, loaf sugar, lead and gunpowder, and the marketing of the little tobacco that was grown, necessitated travel to Henderson where letters and an occasional newspaper might be picked up. Papers such as the "Farmer Library", which was Louisville's first paper, published in 1807, were much in demand. There were also such papers as the "The Mirror", the "Paladium" or "Guardian of Freedom" or the "Kentucky Telegraph" or "The Farmer's Friend."

Other papers were "The American Statesman", the "Western Courier", which was another Louisville paper, the "Bardstown Repository", and "The American Republic", published in Frankfort. "The Globe" or "Political Theatre" published in Lancaster. These papers were eagerly and widely read by all the inhabitants. Many times they were weeks old, worn and tattered when they did reach us. Few or none of these papers have been preserved locally. But at the time, they were closely read, and every word and every argument was closely read, and every word and every argument was closely analyzed, and debated by these very clear eyed, clear-minded backwoodsmen. Mediocre in talent, these papers often presented official acts and documents in their original text, though the comment was bitterly partisan and prejudiced.

There were no governmental actions by the "Town." The Trustees lived outside, were merely Trustees of the title of the lots, of this title they divested themselves as early as possible. Samuel Woodson was the Overseer of the Streets, probably he got little done on the Streets. There was no "Charter" until Jan. 6, 1812, when the General Assembly passed AN ACT FOR THE REGULATION OF CERTAIN TOWNS IN THIS COMMONWEALTH, as follows: WHEREAS IT IS REPRESENTED TO THE PRESENT GENERAL ASSEMBLY THAT THERE HAD BEEN NO SPECIAL LAW PASSED HERETOFORE FOR THE REGULATION OF THE TOWNS: Greenville, Henderson, Bowling Green, Eddyville, Barboursville, Morganfield, and Somerset, and that it is necessary for us to pass some special law for that purpose.

Section 1- BE IT THEREFORE ENACTED BY THE GENERAL

ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY: That the free male inhabitants of the said towns respectively, who shall possess qualifications hereinafter mentioned: are hereby authorized and required to meet at the Court House in said towns, on the first Saturday of May, 1812, and on the same day, in every year thereafter, and shall elect five trustees for said towns, which said trustees so elected, or a majority thereof, shall be sufficient to form a Board, and shall be authorized to make any by-laws for the government and regulation of said towns, as to them may seem right, not inconsistent with the Constitution and laws of th is commonwealth.

Section 2- BE IT FURTHER ENACTED: That the said trustees shall appoint their clerks, and any other officers they may think proper, and the said trustees shall have full power, or a majority of them, to inflict a fine, not exceeding ten dollars, in their name before any Justice of the Peace, and applied to the use of the said towns.

Section 3- BE IT FURTHER ENACTED: That the said trustees or a majority of them shall have full power and authority to impose a tax annually on the persons and property, both real and personal, within the limits of said town, not exceeding \$60.00 per year, as to them shall seem right, for the purpose of Keeping ~~in~~ repair the public streets, springs, etc; of said towns, or for any other purposes which the said trustees, or a majority of them, shall think proper for the said towns.

Section 4- BE IT FURTHER ENACTED: That no person shall be elected trustee of said towns, or qualified to act as such, unless he resides within the limits of said towns, and be above the age of 18 years.

Section 5- BE IT FURTHER ENACTED: That no person shall be qualified to vote at the general election of Trustees for said towns, unless they reside in said towns, as own real property therein, and be above the age of 18 years.

Section 6- BE IT FURTHER ENACTED: That the Board of Trustees for said towns may at any time they may think proper, appoint some fit person, who shall reside in said towns, as a commissioner, for the purpose of obtaining, in such manner, as the board may think proper, a list of all such persons and properties as may be subject to taxation by this act in said towns; whose duty it shall be to proceed to obtain such list, and shall return the same to the said Board, in such manner as the said Board shall direct for the purpose of enabling the said trustees to apportion the tax in said towns. The said commissioner shall be allowed such sum per day, as the trustees may deem right, to be paid out of the money to be collected as taxes.

Section 7- BE IT FURTHER ENACTED: That after the said trustees have laid and apportioned the taxes under this act, they shall appoint a collector thereof, whose duty it shall be to collect and account for the same to the trustees within two months after he shall have been furnished with a list of said taxes. And if any person shall fail or refuse to pay the same, the said collector shall make distress and a sale of property, and in the same manner as collectors of revenue are directed to

do, and the said collector shall pay the money so collected to the trustees of said towns, the collector shall be allowed 6% on all monies which he shall collect, and such compensation as the trustees may think proper, to be paid out of the said taxes.

Section 8- BE IT FURTHER ENACTED: That the collector shall give bond with security to the said trustees for the due performance of his office, and shall also take the following oath to wit; "I do solemnly swear, or affirm, that I will faithfully and truly collect all taxes put into my hands for collection by the trustees for the town of which I am appointed collector, within my power, and will pay all money so collected to said trustees according to law; so help me God." Which said oath the trustees are authorized to administer.

Section 9- BE IT FURTHER ENACTED: That in the event of the collector shall fail to pay the money collected by him to the aforesaid trustees, they may upon giving the collector ten days previous notice in writing, recover judgment against the collector and his security in the county court. . .

Section 10- BE IT FURTHER ENACTED: That in case a vacancy shall happen in the Board of trustees, by death, resignation, or otherwise, between the general election for the trustees, the remaining trustees, or a majority of them, shall meet at the Court House as soon as convenient, and supply such vacancy, which said trustee, or trustees so appointed, shall possess the same power and qualification as those elected at the General Election, and shall continue in office until the next general election for trustees, and no longer.

Section 11- BE IT FURTHER ENACTED: That the said trustees after they are so elected, shall meet at the court house in the said towns, on the first Saturday in February, May, August, November, annually, and at such times as they may think proper in every year, according to the requirements of the internal policy of the said towns, and the trustees elected in pursuance of this act, shall continue for and during the term of one year from the time of their election.

Section 12- BE IT FURTHER ENACTED: That the said Trustees, at some time in one of their meetings in every year, shall make such allowance to their clerk as they may think proper, to be paid out of any money collected in pursuance of this act.

Section 13- BE IT FURTHER ENACTED: That the said Clerks take an oath before they enter upon the duties of their office, to carefully keep and preserve the books and all papers confided to their care by the said trustees, and to make true and correct entries of all by-laws passed by said trustees, which said oaths shall be administered by the president of the board.

Section 14- BE IT FURTHER ENACTED: That the said trustee shall severally take an oath before they enter upon the duties of their office, well and truly to perform the duties enjoined upon them as trustees; which said oath shall be administered to them by some justice of the peace, and recorded by the clerks of said trustees.

Section 15- BE IT FURTHER ENACTED: That every trustee who shall fail to attend said meetings, without a reasonable excuse, shall forfeit and pay for every failure \$2.00, to be applied to the use of said town, which said excuse shall be adjudged of by

the remainder of the trustees, or a majority of them, and in case a fine should be imposed, and the said trustee shall fail or refuse to pay it to the collectors when demanded, it shall and may be lawful for the remaining trustees to sue for and recover the same before a Justice of the Peace.

Section 16- BE IT FURTHER ENACTED: That the first election shall be held by some two justices of the peace of the town or County, which said justices shall be nominated by the county court, and every other General election shall be held in like manner.

Section 17- BE IT FURTHER ENACTED: That in the case the said qualified voters or justices shall fail to meet as aforesaid, after the first General Election, the former Trustees shall continue in office until the next General Election to be held for trustees.

The early records of the trustees of Madisonville have not been preserved.

Prior to 1812, the general assembly had created or recognized Bardstown, Bealsborough, Centerville, Charlestown, Danville, Elizabethtown, (Hopkinsville) Falmouth, Flemingsburg, Frankfort, Georgetown, Glasgow, Greensburg, Hartford, Harrodsburg, Hopewell, Jefferson, Kennedysville, Lancaster, Louisville, Lewisborough, Lexington, Maysville, Milford, Monticello, Newport, Mount Sterling, Paris, Port William, Preston, Russellville, Salsberry, Shelbyville, Shepherdsville, Shippingport, Springfield,

Stanford, Versailles, Warwick, Washinton, Williamsville, Wilmington, and Winchester, the location of the elementary cities, 17 of the 43 would no be hard to find upon the map.

No record is found of the organization of Madisonville under the act of recognition and regulation, and its trustees.

Baxter D. Townes, William B. McGary, William Noel, and William Wilson, as late as in February 12, 1816, continued as shown by their recorded deeds, to act under their original authority.

(D. B. 1, page 356.)

There being few churches and none closer, the villagers who worshipped at Browder's chapel, at the Flat Creek Meeting House, at the court house or in the open, attending preaching whenever and wherever preaching and preachers were to be heard. When the preacher came on his usually stated rounds, it was one of his tasks to preach the funeral sermon of any member of his flock who had passed away since his last visit. For the funeral service in most instances did not accompany the interment for want of a minister. When death came, the body of the deceased was laed out on a plank and a mesuring stick was cut and on it was marked with a knife the length of the body, another notch to show the breadth of the shoulders, and another to indicate the necessary depth of the coffin. These measurments were taken to a carpenter or a neighbor handy with tools and a rough box was made, pinned together with dowels, as nails were scarce.

The shrouded body was placed in this coffin, the farm wagon or the slike was brought around to carry it to the burying ground, either on the home farm, or that of some neighboring kin. The box was lowered into the grave dug by the neighbors, perhaps without a prayer, and then amid the demonstrations of grief or

mayhaps the stoical suffering of the survivors, the clods were thrown in

thrown in and stamped with all the drudgery which yet marks our burial customs. Then when the preacher was expected, a notice of the funeral services would be given so that the countryside might assemble for the occasion. The only virtue office custom was that enforced by the poverty of the time and economy. For the cost of the coffin would be only a few dollars. Stephen Timmon's casket cost \$3.00, Temperance Cox's cost \$5.00, and John Crow made it. Thomas Reynolds, got \$6.00 for Daniel Frayley's while Michael Anderson built two for Edward Dobyns for the sum of \$12.00. Garnett Maupin, the cabinet maker, charged \$6.50 for Barzillai Silkwood's coffin, Charles Hampton's total funeral expenses were \$9.00, and Joseph Henderson's were \$10.00. They were paid to his physician. All these were men some of whom were considered wealthy for those times.

Vendues or public sales of personal representatives of others, were the functions that were also well attended. The auctioneer, William Noel or Horatio Pidcock or John Malin, or perhaps Charles Bradley, were sure to be entertaining, and there were other attractions. Free liquor to the value of \$2.62 $\frac{1}{2}$ was dispensed at the slow sale by John Berry's executors. William Henry's executors spent \$4.00 for whiskey for the sale and the commissioners admitted the item as a credit to their account, while at Joseph Henderson's sale, cheering and inebriating drink to the amount of 6 gallons, at 6 shillings the gallon was on tap.

There is a tradition that William McLanathan taught school at this cabin just west of the town line on the site of the old McCulley block where the children of the neighborhood could get for a modest sum the rudiments of reading, writing and arithmetic.

The accounts of Andrew Bell, guardian of the Knox children in 1808

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There is a tradition that William McLanathan taught school at his cabin just west of the town line on the site of the old McCulley block, where the children of the neighborhood could get for a modest sum the rudiments of reading, writing and arithmetic.

The accounts of Andrew Bell, guardian of the Knox children

1809, show that he took credit for payments made for their schooling, and also for "enterin them at singing school." But whether they went to school to McLanathan, or some other teacher in the Tradewater country, cannot be known. McLanathan received a conveyance of the 4 acres adjoining the town site for the school from William McGary in 1816. William H. Moore, James Porter, A. Smith, Claiborn Rice and Samuel Brown and Charles Bradley were early school masters of the pioneer period. Charles Bradley wrote a particularly clear and beautiful hand and doubtless set many a copy. So did Claiborn Rice but with many more flourishes. The traveling preacher also helped by writing lines for the people to be copied by the tyro.

In the possession of James William Howton are some of these, set for one of his ancestors, "Hold no friendship with a passionat man." Sugar in the Bag saise old man Daniel Cagg. The latter line indicates that the copysetters spelling followed rather dialectical pronunciation than accurate orthography.

Such lines are sometime written on the fly leaves of old books as well as other places ,

"Fair words and foul play chests both young and old."

"To improve the talent take due care against the great day."

"Thyself prepare, hark from the tomb."

"On the fly leaf of a copy of the acts of 1810."

On another, "Stephen Frather his hand and pen may be good, but God knows whe."

"Daniel Ashby, his name and of it he is not ashamed, July 28, 1801."

"James Compton, born January, 1812,"

"Michael Wolf, born February 20, 1809."

"All to how I dow this Book lend."

"Dow not forget it home to dend and oblige Hugh Kirkwood."

"Do not steal this book for fear of shame, for it is in the owners name," Hugh Kirkwood.

In that day of scarcity of paper, the blank page was an almost irresistible invitation to the penman. A peculiar and distinctive dialect resulted from the untaught and unrestrained speech, and this dialect became common to the vast majority of people who had crossed the mountains to occupy the forests and prairies of the western country. If a man was feeble, he was powerful weak, and when he grew better, he was fitter. The word sot, meant sit, set or sat. Nobody fought, they fit, you did not stay awhile, you stayed a spell. How do you do, was expressed by the exclamation howdy. You came outen, not out of, the house, or field, and when there was much or many of anything, there was a heap. Wages were yearned, not earned, and children always were called young uns. When a person was persuaded or induced, he was horn-swoggled. There was, was whar, came, kum, heard, hearn, took, tuck, care was keer, and than or nor, or because, as kase. Distance and direction were expressed by way back or over yander. When addressing the chairman of public meeting, the speaker always said, Mister Cheermun. May we realize that many

of these idioms and pronunciations Lincoln retained throughout life, he began his famous Cooper Union speech by saying, "Mr. Cheerman." In addition to this dialect plain, short words were used which now are avoided. In short, says Esarey, the language of the pioneers was that of the peasantry of the 18th century.

Peasantry of the 18th century, our author says, but what peasantry? English, of course, but what English? Not the English of Exmoor dialect as written by Blackmore, or Yorkshire or Middlesex, as written by Dickens, or of the Border as written by Scott, for obviously all these, all English speakers though they be, were yet of alien tongue to each other, though only about one hundred miles and fifty apart in a thickly populated "tight little island" The truth is, that the writers language became fixed in the translation of the Holy Bible, and the literature of the time of Elizabeth and James. The forms of some words, the pronunciation of most as spoken in Kentucky, are to a great extent, what was the usage of the best speakers of English, of the colonization era. For instance, it is susceptible of proof that the past tense of the verbs as formed in Kentucky, was admissible in that day.

Instead of ate, eat, pronounced at, instead of rode, rid, instead of wrote, writ, instead of fought, fit, instead of climbed, clomb instead of came, come, instead of helped, holp, instead of caught, catched. Let the etymology and ancestry of such words be considered,

before they are too strongly condemned. So, departing from Biblical diction, and Shakespeare's line, some would smile when we say we would "carry a horse to water," (a phrase accepted north of the river or in the west, as marking a Kentuckian.) Not that it is intended here to decry the legitimate development of good usage, but to note the old as defensible.

Words elsewhere rare or archaic still linger in Kentucky, finding or found, indicating supply, post, to inform, well posted, blatherskite, alike, such words ailin, puny, pert, likely, meaning promising, had as lief, etc. Aunt and Uncle are good English titles of address of the old. A whipping or beating, may be a basting, whalloping, licking, trouncing, or hiding. Lambasting, belittling, are admissible, so is dab, duds, pack, to tote, meaning to carry, as person will say, a parcel of land, a parcel of negroes, a parcel of wild hogs, but it is often pronounced "passel" Many more examples may be given, but it was as good or better than the spelling of the present generation or as will be that of the next, under the present system of teaching. The pioneers, scant and simple as was their learning, were not more illiterate than the last generation, for most of them wrote a bold legible hand, and not more of them signed by mark than in any subsequent decade.

PIONEER COMMERCE

In pioneer days, the Emporium, or Store, held a very limited stock for the necessities, brought with difficulty and at some

risk from the settlements, chiefly from Philadelphia, Baltimore, or Richmond. Fine cloth, buttons, ribbon, millinery of straw, tinware, pottery, a little glass and china, small hardware, spices, tea, coffee, sugar, all were in sample lots as well as powder and lead. Credit was extended, and barter was the rule, payment being made in tobacco, corn, tallow, sheepskins, beeswax, gathered from the bee trees in the woods, as well as hams, deer skins, coon skins, and other furs. Coffee, sugar, powder and lead, salt, were generally sold for cash.

Sugar came in hard conical loaves, a foot high and a half foot in diameter at the base, and encased in blue paper. For use, the sugar was grated or ground off against a sharp metal edge by friction, or an instrument similar to the present coconut grater. Salt was procurable at the salt works in Henderson County and the Sand Lick in north Christian, at \$2.00 or \$3.00 per bushel. Coinage remained scarce. Values were reckoned, and accounts were kept, sometimes in dollars and cents, sometimes in pounds, shillings and pence. The pound was the Virginia pound, (not the English pound sterling) and seems to have had a value of about \$3.25. Notes were given payable in these articles of barter, or merely stated to be payable in good trade.

Memoranda were occasionally appended to deeds of conveyance of land, providing that in case the land was lost, the breach could be made good by payment in horses, cattle, or good trade.

Emphasis has been laid upon social contacts and gatherings, mention should be made of house raisings, log rollings, quilting bees, weddings. No opportunity of assembly and social intercourse was missed. The weddings followed brief courtships. The contracting parties took little time making up their minds, the women had need of homes and made good wives. The men were true home-seekers, and needed the help of wives who could bear their share of the burdens. There was no philandering. Frailty was uncommon, and flirtations were dangerous and might be fatal.

The marriage ceremony generally took place in the daytime and that day, and sometimes the night following were given up to festivity, which was followed by the infare on the next day at the groom's dwelling. Tales obviously extravagant, are told of the rough humor and coarseness, and the drunkenness accompanying such events these lose nothing in the telling. Doubtless there was some foundation in other localities for these narrations, but we have no evidence of anything of the nature in our locality, other than a general merry-making. No survival or vestige of more remains, unless it be the custom, more honored in the breach than inobservance, of Charivari, or Shivarree, as it is called if custom it can be said to be--the disturbance and annoyance of the nuptial pair by a callithumpian concert. Such we see rather a survival, but in reality, it was a introduction directly from the French settlements in America.

Drunkenness was prevalent, it must be admitted, but it was recognized as an evil, and frowned upon by a large majority of the people. It has been shown the indictments for drunkenness and selling liquor were not infrequently returned in the Circuit Court.

Here is a commentary on the character of the pioneers. They had the moral and physical courage to punish crime without fear, favor, or affection. Those old witnesses and grand jurors would indict or present their neighbors and officers, and punish them with no fear of retaliation

or thought of criticism. We have seen how they indicted Judge Brodnax and the Commonwealth's Attorney for swearing. It might be hard now to get witnesses to testify against an individual, much less an officer, even if it should happen that such a one should profanely swear.

And in those days, one presented for drunkenness or profanity, or other offenses of that nature, was generally wise enough to acknowledge the crime, as they well understood the character to the jurymen, knew they were serious, fearless and determined men and not to be flimflammed, bamboozled or intimidated. Of course, this is not mentioned by way of contrast to the action of modern juries in criminal cases, or to intimate that they are more credulous, more fearful of business or social retaliation, more susceptible to prejudice, more tolerant of crime, more disposed to nullify laws, or more easily influenced by pleas for leniency with law-breakers, or that grand juries now hesitate to indict for gaming, drunkenness, profanity or Sabbath breaking.

Trials of marksmanship with the rifle, shooting matches, often times for prized possessions, was a principal sport. Astonishing skill was developed by the backwoodsmen. Audubon comments at length upon their extraordinary skill by which their bullets drove nails, or at night, snuffed out candles. Ammunition was scarce and precious, and no shot was ever wasted. The long, heavy, flint-lock rifle, small brass bound stock with an octagonal barrel of small calibre, accurate bore and sighting, was the weapon, and its use the joy, pride and skill of the pioneer. The charge was that amount of powder which would cover the bullet lying upon the extended palm of the hand, or the equivalent measured in a metal cup, classed or called the charger. The bore was carefully wiped after each shot, the touch hole cleared, the powder

rammed home, and then the bullet which fit the bore tightly was forced in, and the frizzen was then turned up and the pan primed or filled with the powder, the flint adjusted in the hammer so as to strike a spark from the steel.

The piece was chiefly fired from a rest or from the prone position, off hand shooting allowed to much chance of a miss, but of course, was used on occasion. Allowance was made to prevent the recoil from disturbing the aim, and the nad or a wad or pad of cloth was held between the barrel and the rest to absorb the shock. It was a fine art. The fashion of shooting squirrels was to send the bullet through the bark of the limb upon which the little animal rested, so as to kill by concussion instead of by direct wound. The wild turkeys were a favorite game, and captured turkeys were sometimes used at shooting matches as targets.

Game was plentiful, although not so much as it had been at the pioneers first coming twenty years before, there was still no need for butchers or butcher shops, as fresh meat in the form of venison or turkey, could be always taken any morning before breakfast. Pork and beef were reised and slaughtered only to give variety to the diet. Salt was \$6.00 and \$7.00 a barrel, and not to be used in preserving meat when fresh meat was plentiful, and salt was scarce.

Hunting life in the old times is sketched in the "Crayon Papers", by Washington Irving, purportedly from conversations with a pioneer, a Mr. William L. Duvall, veiled under the name of Ralph Ringwood.

FOX RIVER BOND

25% COTTON

There is an untraced and unconfirmed tradition that Washington Irving himself once visited the Green River country. In this account, Ralph Ringwood speaks:

"At Wheeling, I embarked in a flat family boat, technically called a broad-horn, a prime river conveyance in those days.

In this ark for two weeks, I floated down the Ohio. The river was as yet in all its wild beauty. Its loftiest trees had not been thinned out, the forest overhung the water's edge, and was occasionally skirted by immense canebrakes.

Wild animals of all kinds abounded. We heard them rushing through the thickets and splashing through the water.

Deer and bear would frequently swim the river, others would come down to the banks and gaze at the boat as it passed.

I was incessantly on the alert with my rifle, but somehow or other, the game never seemed to be within shot.

Sometimes I got a chance to try my skill on the shore, I shot the squirrels, and small birds and even wild turkeys.

There were times when I thought I caught glimpses of deer bounding away through the woods, but somehow, I never could get a fair shot at them. In this way, we glided in our broad-horn past Cincin-

nati, the "Queen of the West", as she is now called, then a mere group of log cabins, and the site of the bustling city of Louisville, then disigned by a solitary house. As I have said before, the Ohio was as yet a wild river, all was forest! forest! forest! Near the confluence of Green River with the Ohio I landed, and bade adieu to the broad-horn and struck out for the interior of Kentucky. Here I gladly accepted the invitation of honest William Smithers.

I gladly went to his habitation, a mere log hut, with a square hole for a window and a chimney made of sticks and clay. Here he lived with a wife and child. He had girdled the trees for an acre or two around, preparatory to clearing a space for corn and potatoes. In the meantime he maintained his family entirely by his rifle, but I soon found him to be a first-rate hunter. Under his tutelage I received my first effective lessons in woodcraft. The more I knew of a hunter's life, the more I relished it. The country too, which had been the promised land of many a boyhood dream, did not like most promised lands disappointed me. The wilderness could be more beautiful than this part of Kentucky in those times.

The forest was open and spacious, with noble trees, some of which looked as if they had stood for centuries. There were beautiful prairies too, diversified with groves and clumps of trees, which looked like vast parks, and in which you could see the deer rearing and running at a great distance, in the proper

season these prairies, would be covered in many places with wild strawberries, where horses' hoofs would be dyed to the fetlock; I thought there could not be another place in the world equal to Kentucky, and I think so still. After I had passed ten or twelve days with Bill Smithers, I thought it time to shift my quarters. For his house was scarce large enough for his own family, and I had no idea of being an encumbrance to anyone. I accordingly made up my bundle, shouldered my firing piece and took a friendly place.

I set out in quest of a "Wimrod" of the wilderness, one John Miller, who lived alone nearly forty miles off, and who I hoped would be pleased to have a hunting companion. After traveling miles, I soon found that one of the most important items in woodcraft in a new country, was the skill to find one's way in the wilderness.

After seeing no regular roads in the forest, they were cut up and perplexed by paths leading in all directions, some made by the cattle of settlers, and called, "stock tracks", but others had been made by the immense droves of buffalos which roamed about the country from the flood, until recent times.

These were called "buffalo tracks" and traversed Kentucky from end to end, like highways. Traces of them may still be seen in uncultivated parts, or deeply worn in the rocks where they crossed the mountains.

I was a young woodsman, and sorely puzzled by the tracks and could not distinguish one track from another, or to make out mayhaps, the course through the tangled labyrinth.

While thus perplexed, I heard a distant roaring and rushing sound, gloom stole over the forest, and on looking up, when I could catch a stray glimpse of the sky, I beheld the clouds rolled up like balls, the lower parts were as black as ink. There was now and then an explosion, like the sound of a burst of cannonry afar off, and ever and anon the crash of a falling tree. I had heard of hurricanes in the woods and surmised that one was at hand. It soon came crashing its way, the forest writhing and twisting and groaning before it. The hurricane did not extend far on either side, but in a manner plowed a furrow through the woodland, snapping off or uprooting trees that had stood for centuries, and filling the air with whirling branches. I had the misfortune to be directly in its course, and took my stand behind an enormous poplar, six feet in diameter. It bore the full fury of the blast, but at length it began to yield. Seeing it falling, I scrambled nimbly around the trunk like a squirrel. Down it went, bearing another tree with it. I crept under the trunk as a shelter, and was protected from other trees which fell against it and around me, but I was sore all over from the twigs and branches driven against me by the blast. This was the only incident of consequence that occurred on my way to John Miller's, where I arrived on the following day, and was received by the veteran with the rough kindness of the backwoodsman. He was a gray-haired man, handy and weatherbeaten, with a blue wart, like a great beard over one eye, whence he was nicknamed by the hunters as "Bluebeard Miller."

He had been in these parts from the earliest of the settlements, and signalized himself in the hard conflicts with the Indians, which gained Kentucky the appellation of the "Bloody Ground." In one of these fights he had had an arm broken, in another he narrowly escaped when hotly pursued, by jumping 30 feet from a precipice into a river. Miller willingly received me into his home as an inmate, and seemed well pleased with the idea of making as an inmate, and seemed well pleased with the idea of making a hunter of me. His dwelling was a small log-house, with a loft made of boards, so that there was more ample room for both of us. Under his instruction I soon made a tolerable proficiency in hunting. My first exploit, of any consequence, was the killing of a bear. I was hunting in company with two brothers, when we came upon the track of Bruin, in a wood where there was an under-growth of canes and grapevines. He was scrambling up a tree, when I shot him through the breast, he fell to the ground and lay motionless. The brothers sent in their dog, who seized him by the throat. Bruin raised an arm and gave the dog a hug that crushed his ribs. One yell, and all was over. I don't know which was first dead, the dog or the bear. The brothers sat down and cried like children over their unfortunate dog. Yet they were mere rough woodsmen, almost as wild and untamable as Indians, but they were good fellows.

By degrees I became known, and somewhat a favorite among the hunters of the neighborhood, that is to say, men who lived within a circle of 30 or 40 miles, and came occasionally to see John Miller, who was a patriarch among them. They lived widely apart,

in log huts and wigwams, almost with the simplicity of Indians, and well-nigh as destitute of the comforts and inventions of civilized life. They seldom saw each other, when they did meet, it was very much after the manner of Indians, loitering all day without having much to say, but becoming communicative as evening advanced, and sitting up half the night before the fire telling hunting stories, and terrible tales of the fights of the " Bloody Ground."

Sometimes several would join in a distant hunting expedition, or rather campaign. Expeditions of this kind lasted from November until in April, during which we laid up our stock of summer provisions. We shifter our hunting camps from place to place, according as we found the game. They were generally pitched near a run of water, and conveniently near a cane brake, good for a screen from the wind. One of the party stayed at home to watch the camp, prepare the meals and keep off the wolves, while the others hunted. When a hunter killed a deer at a distance from the camp, he would open it and take out the entrails, then climb a sapling and bend it down, then tie the deer to the top, and let it spring up again, and this way suspended the carcass out of the reach of the wolves. At night he would return to the camp and give an account of his luck. The next morning early he would get a horse out of the canebrake and bring home his game. That day he would stay at camp and cut up the carcass, while the others hunted.

Our days were thus spent in silent and lonely occupations. It was only at night that we would gather together before the fire and be sociable. I was a novice, and used to listen with open eyes and ears to the strange and wild stories told by the old hunters, and believe everything I heard. Some of their stories bordered upon the supernatural. They believed that their fine rifles might be spellbound, so as not to be able to kill a buffalo, even at arms length. This superstition they derived from the Indians, who thought the white hunters had laid a spell upon their rifles. Miller partook of this superstition, and he would tell of his rifle's having had a spell upon it at times, but it of course seemed to me, to be a shuffling way of accounting for a bad shot if a hunter grossly missed his aim and would ask, "Who shot last with this rifle?" ---and hint that he must have charmed it. The sure mode to disenchant a gun was to shoot a silver bullet out of it. By the opening of spring we would generally have quantities of bear meat and venison salted, dried and smoke,, and numerous packs of skins. We would then make the best way home from our distant hunting grounds, transporting our spoils, sometimes in canoes along the rivers, sometimes on horseback over land, and our return would often be celebrated by feasting and dancing in true backwoods style.

Hogs ran wild in the woods, identifiable if at all, only by the ear marks of their owners or by their response to sonorous hog callings which woke the echoes of the primeval forest. The only check to the enormous increase of the number of swine was

the marked preference for pork shown by the bears. But the bear skins and bear meat and bear grease were in demand and their number lessened. The last two bears in the Madisonville neighborhood are said to have been shot while foraging on the Court House square in 1810.

The swine fed principally on roots, nuts and acorns, but at times feasted and fattened upon the passenger pigeons, when the enormous flights of these curious birds took place, darkening the very sky with their numbers. Hogs were sometimes driven in herds to the pigeon roosts at some place in the county where the birds frequented, and where by wa~~l~~ighted of their number they broke down large boughs from the trees and where men and boys armed with sticks and clubs could kill them by thousands. Only in emergency were these fowls used for food as their flesh was tough and dry, very stringy, but their plumage was taken to make many a feather bed and feather pillow for the home of the pioneers.

Audubon records his witnessing one of these flights of the passenger pigeons on Green River, when the settlers drove their hogs to the roost to feed upon the birds.

Hams of deer as well as of swine, were smoked and kept for winter fare. Deer were plentiful, for the first fifty years venison was available for food, and deer skins were an article of barter and trade. Toward the last even in the bottoms they became scarce, and finally the remaining herds fell victim to

the "black tongue" or to some epizootic disease which accomplished extanction. Emsley Ashby killed two over in the Otter Creek bottoms as late as 1892. There was small game in apparently inexhaustible plenty, for the game laws were thought of only many years later. The necessities of life were abundand to be had for the labor of the taking, but the accessories and luxuries were scant or were absent.

Slavery never had a very strong hold upon the sympathies of the people of Hopkins County. In 1807, there were 242 blacks, men, women, childrenand babies. Those were in the ownership of 56 persons., 24 of them belonged to one taxpayer, and 18 owned at that time, no more than 5 slaves each.

Many large land owners like Abraham Landers, Barnabas Sisk, Richard Lee, Arthur Slaton, Caleb Hall, John Dodge, Andrew Philips, Reuben Herrin, the Llewellyns, Rubys, James Wisbet, Solomon Silkwood, Benjamin, the Witesides, Hookers, Kuykendalls, William Russell Weir, Harrison Davis, George Hall, George Goodwin and others, held none at all, it must be assumed that as those men had the means of owning slaves, that they did not do so because of scruple. And it must be remembered that the churches had from the first censured slave holding and dealing, and politicians, and statesmen had condemned it as an intolerable institution. The number of slaves however, increased in the first three years to 412, and more then doubled by 1829. Jefferson's first draft of the Declaration of Indépendence called for the extirpation of slavery. This was stricken out in Committee, so it is said,

in anticipation of objection from New England slave merchants.

Just as our negroes in Hopkins County were descended from the early importations to Virginia and North Carolina from the Gold Coast and the Senegambia, they have largely followed this pattern with slight variation, the two types, the Guines negro, short, black, broad-headed and bandy legged, and the tall, well-made, long headed men from further North on the African Coast. Other types, the "rat-eared" the "high-brown" the "blue-gummed" whose bites were reputed to be poisonous, resulted from later importations from other regions in Africa, and were rare, and even yet are rare in Hopkins County. Our mulatto brothers and cousins, descendants of our Causasian fathers, increased somewhat after the pioneer times. This practice of slavery was regulated by general law. (2 Littell's Law, page 113.)

After 1798, no person henceforth be slaves in Kentucky except as were so, on the 17th day of October in the year of 1785, and the descendants of the females of them. No negro or mulattos should be a witness except in pleas of the Commonwealth against negroes or mulattos, or in civil pleas where negroes or mulattos alone should be parties. No slave was allowed to leave the premises of his master or his master's licensee, without a pass, letter or token from his master, employer or overseer. Any person might apprehend him and carry him before a Justice of the Peace to be punished with stripes or not, in his discretion.

Any slave trespassing upon the plantation of any other person not on lawful business with leave in writing from his master or overseer, might be whipped by the owner or overseer so such plantation with ten lashes upon his or her bare back. No negro, mulatto, or Indian should keep or carry any gun, powder, shot, club or other weapon, and the same might be seized by any person when so carried, and upon proffering proof, before any Justice, might be forfeited to the seizer, and the offender should receive not exceeding 39 lashes on his or her bare back, well laid on. Provided however, that every free negro, mulatto or Indian being a housekeeper, should be permitted to keep one gun, powder and shot, and all negroes and Indians, bond or free, at any frontier plantation, were permitted to keep and use guns, powder, shot and weapons by license from a Justice. Riots, Routs, unlawful assemblies, trepasses and sedition speeches by slaves should be punished by stripe at the discretion referred to a Justice or a Trustee of the town, and slaves offending might be apprehended by any person.

Harboring a slave without leave of the owner was punished by a fine of \$2.00, but if more than five were harbored, the offender should forfeit five shillings to the informer for every slave above that number so harbored, provided that slaves of the same owner might meet with his leave upon his plantation or upon the owner's business at any public mill, not in the night time or on Sunday, and they might meet on any other lawful occasion by license in writing from their owner's and might go to Church

and attend divine worship on the Lord's Day or any other day of public worship.

Any person (white) free negro, or Indian found in company with slaves at an unlawful meeting, or harboring or entertaining any slave without the consent of the owner, forfeited 15 shillings to the informer, recoverable before a Justice of the Peace, and on failure of payment, should receive on his or her bare back, 20 lashes well laid on by order of the Justice. Justices, Sheriff, and Constables were charged with duties to observe and regulate the conduct of slaves. No person might buy, sell or receive of, to or from, any slave any coin or any commodity whatever without the leave of the master in writing, on pain of forfeiting 4 times the value of such articles. If any negro or Indian, he or she so offending, for every such offense proved by the oath of the party before a Justice, should receive 30 lashes on his or her bare back, well laid on. It was a misdemeanor to hire or induce a slave to ride in a horse race without the Master's consent.

Slave owners, who licensed slaves to go at large to trade as free men, a practice found to be a great encouragement to the commission of thefts and other civil practices by such slaves, were to be punished by the forfeiture of 10 pounds current money to be applied toward the lessening of the County levy, and person might apprehend the slave, and on proper hearing the slave might be ordered sold by the Sherriff for ready money at the

next Court, 25% of the amount of the proceeds of the sale to be applied toward lessening the county levy, a percent commission (5%) to the Sherriff and Jailer, and the balance to the owner. Any slave charged with a capital offense was tried by a jury from the bystanders without the formality of an indictment by a grand jury, unless he had begun an action to assert his freedom, in which case the proceedings were the same as in case of a free man. Special terms of Court were provided for, so that the Master would not lose the services of the slave for a long time, while awaiting trial.

The confession of the offender, the oath of one credible witness, or the testimony of negroes, mulattoes or Indians, bond or free, "with pregnant circumstances" as to the Court should appear convincing, would sustain a conviction. The slave was allowed benefit of clergy according to the English Common Law, and if claimed, the death penalty could not be executed, but the slave was burned in the hand by the Jailer in open Court and suffered other corporeal punishment as the Court should direct.

The interesting survival of a semi-barbarous age probably was preserved by some frugal legislator, who disliked to see a valuable bit of property destroyed, such as by hanging a slave with intelligence and training, enabling him to read and write, at the public expense, so this custom was invoked instead, by giving the slave so charged the benefit of clergy.

Benefit of clergy was actually claimed, and allowed a slave at Glasgow, before Judge Samuel Buckner, this is believed to be very historical and the last instance of this kind, the law was thereafter repealed in 1847. Non-Christian negroes, mulattoes and Indians produced in evidence on the trial of a slave for a capital offense, were charged as follows: "You are brought hither as a witness, and by the direction of the law, I am to tell you before you give your evidence that you must tell the truth, the whole truth, and nothing but the truth, and that if it be found hereafter that you tell a lie, and give false testimony in this matter, you must for so doing, receive 39 lashes on your bare back, well laid on at the common whipping post."

The Master was allowed to make defense for his slave. Before executing a slave he was to be valued, and a warrant of the Auditor of Public Accounts would be paid for by the State Treasurer. But no payment should be made if the slave was unlawfully imported into the State or was in transit when the offense was committed. The importation into the State of any slave brought into the United States since January 1, 1789, or the importation of a slave as merchandise was punishable by a fine of \$500.00, but other slaves might be brought into the State by emigrants for their own use.

Slaves might be emancipated by will or deed, but if the Master manumitted a sick or lame slave on pretense of granting

him his freedom, he was subject to heavy penalties. All negro, mulatto, or Indian slaves were seemed to be Real Estate, and descended to the heir of the owner accordingly. Conspiracy of slaves to rebel or make insurrection, or conspiring or advising the murder of any person, or administering poison, or medicine with evil intent that death thereupon may ensue, whether injury occurred or not, and voluntary manslaughter were capital offenses. Any person might apprehend a runaway and be entitled to a reward of 10 shillings, and one shilling per mile for his travel. White persons might be bound to service to be specifically performed for terms not exceeding 7 years.

The mulatto children of free Christian white women were required to be bound out to service until the males reached 21 and the females 18. If the mulatto children of free Christian white men had been freed after a limited bondage, there would not have been so many slaves in Kentucky on final emancipation. If a mulatto, negro, or Indian should purchase a servant not of his own complexion, such servant immediately became free.

After the Act of the General Assembly of January 30, 1798, any person who should wittingly, willfully, or designedly presume to import into this Commonwealth from any variolous or infectious matter of the said distemper, with the purpose to inoculate any person or propagate said distemper within the Commonwealth, should forfeit and pay the sum of 1000 pounds

for every offense so committed, one moiety to the informer and the other moiety to the use of the poor of the County where the offense should be committed. "And for as much as the inoculation for smallpox may, under peculiar circumstances, be not only a prudent, but necessary means of securing those are unavoidably exposed to the danger of taking the distemper in the natural way, and for this reason, it is judged proper to tolerate it under reasonable restrictions and regulations."

BE IT THEREFORE ENACTED: That if any person shall think him or herself, his or her family, exposed to the immediate danger of catching the said distemper, such person may give notice thereof to the Sheriff of any County...who shall immediately, and without loss of time, summon all the attending Magistrates of said County to meet at the most convenient time and place, they being assembled to consider whether, upon the whole circumstances of the case, the inoculation be prudent or necessary or dangerous to the health and safety of the neighborhood, and thereupon, either grant a license for such inoculation under such restrictions and regulations as they shall judge necessary and proper, or prohibit the same as to them, or a majority of them, which seem expedient.

Any person having first obtained the consent in writing, attested by two magistrates a majority of the housekeepers residing within 3 miles, and not separated by a river, creek

or marsh, a quarter of a mile wide and conforming to certain rules and regulations, may inoculate or be inoculated for the small pox either in his or her own house, or any other place, but such persons so inoculated may not go upon any public road where travelers usually pass without retiring out of the same or giving notice upon the approach of any passenger until such patients have recovered from the distemper and so well cleansed in his or her person and clothes as to be perfectly free from infection under the penalty of 40 shillings for each offense, to be recovered if committed by a married woman from her husband, if an infant, from a parent, or guardian and if a servant, or a slave, from the Master or Mistress.

Every person undertaking inoculation at any house shall cause a written advertisement to be put up at the nearest public road or other most notorious adjacent place, giving information that the smallpox is at such house. Penalty for feigning inoculated without license is 100 pounds, one moiety to the informer and the other to the overseers of the poor, for the use of the poor of the county.

Every able-bodied Kentuckian between the ages of 18 and 45 is a soldier, at least in theory. This legal theory has prevailed since the earliest times. Theory it has always been, for to make a soldier requires more than physical and mental soundness, patriotism and liability to a call for military service. Long and arduous training and rigid discipline are

essential to the making of a soldier.

This condition has always rendered military training and service unpopular in our Republic, and this fact has been seized upon by politicians in their appeals to the people to perpetuate themselves in power. The people, always ready to be deceived, are frightened by the scarecrow of military domination set up by the politicians, they seem to learn nothing from the sad and cruel experiences which our unpreparedness for war have repeatedly brought down upon us. Playing upon the desire and disposition for peace and economy has been the dishonest practice by which politicians have ridden into the highest office, with the inevitable result of unnecessary waste of lives and money, when the inevitable war comes. The politicians teach that every war is the last one, and always find people who believe what they wish to believe.

Thus Thomas Jefferson (1808) wrote to Congress when our relations with Great Britain were threatening: "For a people who are free, and who mean to remain so, a well organized and armed militia is their best security." The result may be read in the defeats and losses of 1812. Militia, citizen soldiers, as such, can never be "well disciplined" except after long training in war. They never have been well organized or well armed at the beginning of any war.

In the pioneer period, every male person was subject to perform active militia duty, except negroes, mulattos, Indians

and certain civil officers, Professors and Tutors of public Seminaries of learning, Ministers of religious societies, keepers of public jails, guards employed in the jail and penitentiary house, the President, Cashier and Clerks of the Bank of Kentucky and its branches. (4 Littell, Laws of Kentucky, page 284.)

Under our present Constitution, now as in pioneer days, the Governor of the Commonwealth is the Commander in Chief of the military forces thereof. In pioneer days every male citizen was enrolled as a militiaman. The enrolled militia was laid off into divisions, brigades, regiments, battalions and companies, by the Governor of the Commonwealth subject to the power of the Commanders of the various regiments to form or alter the boundary of battalions and companies within the regiment. In those days, those who conscientiously scrupled to bear arms could not be compelled to do so, but should pay \$1.00 a day for each muster in lieu of personal service, but in case of invasion, insurrection or war, conscientious objectors were permitted to find an able-bodied substitute in lieu of personal service. The Governor appointed the commanding officers of divisions, brigades, regiments and companies and commissioned all officers. The division commanders appointed their aides, the brigadier generals their brigade majors, the commanding officers of regiments, their regimental staffs, and the captains of companies, the non-commissioned officers.

A majority of the field officers and captains of each regiment nominated the commanding officers of each company.

As a rule, the various officers were informally elected by a majority vote of those under their command and the Governor generally appointed upon the nomination so made, the Governor directed the raising of companies of grenadiers, light infantry, cavalry, riflemen, and artillery in conformity of the laws of the United States at his discretion. The complement of officers and men in each company were left to his discretion.

It was the duty of each Major General to attend the regimental muster of his division one in every two years, at least, and to give orders for the discipline of the troops and any other measures he might deem expedient. The Brigadier General appointed the times of regimental and battalion musters, and visited each regiment of his brigade annually on regular muster days, and gave such orders as might in his opinion be required. The Commander of each regiment prescribed the time of holding regimental and battalion musters, at such time exercised his regiment and superintended the exercises at the battalion and company musters.

Any of these officers, upon receiving notice of an invasion or an insurrection, might immediately embody such force as they deemed proper for the emergency, giving notice therefore to their next superior officer and the Governor. Battalion Commanders fixed the place of holding regimental and battalion musters and Courts of Battalions and superintended company assessment, and exercised their musters as well as the time and the place of the sitting of the courts of assessment, causing every militiaman to receive three days notice of each muster.

The Lieutenants and Ensigns assisted in exercises and discipline of their Companies.

The Adjutant General of the Commonwealth conducted all military affairs of the Commonwealth and was paid a salary of \$150.00 per annum. The Governor might commission aides, whose duty it was to execute the orders of the Major General to whom they were attached. The Governor was not then allowed or permitted to appoint Colonels on his Staff nor is he now allowed so to do by law, and the assumption of power by the Governor to appoint civilians, resident and non-resident as Colonels of his Staff, is a usurpation of power without warrant of Law, which has subjected the Commonwealth to ridicule and derision far and wide, and brought into contempt and jest the honorable title of Colonel in the military world,

The Governor has power to appoint the Adjutant General and his other Staff Officers, the is, the Staff Officers for militia duty, in conformity with national law--not on carpet consideration. The Militia consists of residents of the State only, and the abuse has even extended to the commissioning of non-residents.

The musters of Regiments were held in October, for Battalions, in May, April and June. At each muster, every non-commissioned Officer and Private were required by law to be armed and equipped, and to be exercised for at least three hours, the roll was called and the absentees and the delinquencies noted.

Court for the assessment of fines and receiving the reports of delinquencies was held in each Regiment on muster days. It was composed of a Major and the Captains of the Regiments, the eldest in rank presiding. The fines against the absentees and delinquents were collected by the High Sheriff of the County.

The Militia were subject to call for active service, for a tour of duty of thirty days, and could not be compelled to serve more than two hours, without discharge. The Sergeants gave written notice to each Militiaman, at least three days before the days of the muster. Such a notice, given at a later date, (supplied by James William Howton) is as follows:

"Sir, you are Notified to attend the following Musters, Acquipt as the Law Directs Battalion at Vandersburg on the 21st day of May, Regimentale in Madisonville on the 8 of October, Court of Assessment on the 3rd Thursday in October, May 13th, 1853."

Ab Simons, Sergeant

The inadequacy of the Militia system had been felt in the Revolution, it was to be recorded shortly in the disgraceful capture and burning of Washington, the surrender of Detroit, Hopkin's farcial expedition to Fort Harrison, the tragedies of The Raisin, and Dudley's defeat at Fort Meigs.

It is of such militia musters at a later date that James Weir wrote in his novel, "Lonz Powers" and that Thomas Corwin

spoke, in his reply to General Crary, in ridicule of that General's military experience. The chapter from "Lonz Powers" is given at length in Rother's History of Muhlenberg County. Corwin's speech, a masterpiece of raillery, dealing satirically with military pretensions of a fellow member of Congress, was based upon his own observations as a boy in his Kentucky home, he said, in part--

"Mr. Speaker, this discussion, I should think, if not absolutely absurd and utterly ridiculous, which my respect for the gentlemen from Michigan and the American Congress will not allow me to suppose, has elicited another trait in the American character which has been the subject of great admiration with intelligent travelers from the old world. Foreigners have admired the ease with which we Yankees, as they call us, can turn our hands to any business or pursuit, public or private, and this has been brought forward by our own people as a proof that man, in this great and free republic, is a being very superior to the same animal in other parts of the globe less favored than ours. A proof of the most convincing character of this truth, so flattering to our national pride, is exhibited before our eyes in the gentleman from Michigan delivering to the world a grave lecture on the campaigns of General Harrison, including a variety of very interesting military events in the years 1811, 1812 and 1813. In all other countries, and in all former times before now, a gentleman who would either speak or be listened to, on the subject of war, involving subtle criticism on strategy, and careful reviews of marches, sieges, battles, would be required to show, first, that he had studied

much, investigated fully, and digested well the science and history of his subject. But here, sir, no such painful preparation is required, witness the gentleman from Michigan. He has announced to the House that he is a militia general on the peace establishment.

That he is a lawyer we know, tolerable well read in Tidd's Practice and Epinasse's Nisi Prius. These studies, so happily adapted to the subject of war, with an appointment in the militia in time of peace, furnished him at once with all the knowledge necessary to discourse to us, as from high authority, upon all the mysteries in the trade of death.

Again, Mr. Speaker, it must occur to every one that we, addressed, being all Colonels at least, and most of us like the gentleman himself, brigadiers, are, of all conceivable tribunals, best qualified to decide any nice point connected with military science. I hope the House will not be alarmed by an impression that I am about to discuss one or the other of the military questions now before us at length.

I wish to submit a remark or two, by way of preparing as for a proper appreciation of the merits of the discourse we have heard. I trust, as we are all brothers and officers, that the gentleman from Michigan and the 240 Colonels, or generals of this honorable House, will receive what I have to say, as coming from an old brother in arms, and addressed to them in a spirit of candor. "Such as becomed comrades free, reposing after victory."

Sir, as we all know, the military studies of the gentleman from Michigan before he was promoted, I take it to be beyond a reasonable doubt that he had perused with great care the title page of "Baron Steuben." May, I go further, as the gentleman has incidentally assured me he is prone to look into musty and neglected volumes, I venture to

assert, without vouching the fact from personal knowledge, that he has prosecuted his researches so far, so as to be able to know the rear rank stands right behind the front. This I think, is fairly inferable from what I understand him to say of the two lines of encampment at Tippecanoe.

Thus, we see Mr. Speaker, that the gentleman from Michigan so far as study can give us knowledge of a subject, comes before us, with claims to great profundity. But, this is a subject which, of all others, requires the aid of actual experience to make us wise. Now the gentleman from Michigan, being a militia general, as he has told us, his brother officers, in that simple statement has revealed the glorious history of toils, privations, sacrifices, and bloody scenes through which we know from experience and observation, a militia officer in time of peace is sure to pass. We all in fancy, not see the gentleman from Michigan in that most dangerous and glorious event in the life of a militia general on the peace establishment--a parade day! The day for which all the other days of his life seem to have been made. We can see the troops in motion; umbrellas, hoes, axehandles and other like deadly implements of war, overshadowing the field, when lo! the leader of the host approaches, "Far off his coming shines", his plume, white, after the fashion of the great Bourbon, it is of ample length, and one reads its doleful history in the bereaved necks and bosoms of forty neighboring hen-roosts. Like the great Suwarpuff. I see, somewhat careless in forms and points of dress, hence his epaulettes may be on his shoulders, back or sides, but still a gleaming, gloriously, gleaming in the sun.

And mounted he is too, let it not be forgotten, Need I describe to the colonels and generals of this honorable House the steed which heroes bestride on such occasions? No, I see the memory of other days is with you. You see, before you, the gentleman from Michigan mounted on his cropped, bushy-tailed mare, the singular obliquities of whose hinder limbs is described by that most expressive phrase, "sickle-hams", her height just fourteen hands, "all told," yes sir, there you see his "steed that laughs at the shaking of the spear, "that is, his "war horse whose neck is clothed with thunder."

Mr. Speaker, we have glowing descriptions in history, of Alexander the Great and his war-horse, Bucephalus, at the head of an invincible Macedonian phalanx, but sir, such are the improvements of modern times that every one must see that our militia general, with his cropped eared mare, with bushy tail and sickles hams, would literally frighten off a battlefield a hundred Alexanders. But sir, to the history of the parade-day! The general, thus mounted and equipped is in the field and ready for action.

On the eve of some desperate enterprise, such as giving the order to shoulder arms, it may be, there occurs a crisis, one of the accidents of war which no sagacity can foresee or prevent. A cloud rises and passes over the sun! Here an occasion occurs for the display of that greatest of all traits in the character of a commander, that tact which en-

ables him to seize upon and turn to good account events unlooked for as they arise, Now for the caution wherewith the Roman Favius foiled a great skill and the skill of Hannibal. A retreat is ordered, and troops and general, in a twinkling are safely bivouacked in a neighboring grocery! But even here the general still has room for the exhibition of heroic deeds.

Hot from the field and chafed by the untoward events of the day, our general unsheaths his trenchant blade, eighteen inches in length as you well remember, and with an onergy and remorseless fury, he slices the watermelons that lie in heaps around him, and shares them with his surviving friends. Other of the sinews of war are not wanting here. Whiskey, Mr. Speaker, that first great leveler of modern times is here also, and the shells of the watermelons are filled to the brim.

Here again Mr. Speaker, is shown how the extremes of barbarian and civilization meet. As the Scandinavian heroes of old, after the fatigues of war drank wine from the skulls of their slaughtered enemies in Odin's Halls, so now our militia general and his forces, from the skulls of melons thus vanquished, in copious draughts of shiskey assuage the heroic fire of their souls after the bloody session of a parade-day!

But, alas for this short-lived race of ours, all things will have an end, and so even is it with the fine and glorious achievements of our General. Time is on the wing, and will not ~~stay~~ ^{stay} his flight, the sun, as if frightened at the mighty events of the day, at the close of day rides down the sky, when the "curtain of night

drops upon the scene,

"And Glory like the Phoenix and its fires,
Exhales its odors, blazes and expires."

In this same speech, Corwin delivered this eulogy of Kentucky soldiery. "I do not like to look in the face of a man and speak of him in warm terms of eulogism, however he may deserve it, but sir, on this occasion I am obliged to say what history will attest of the people of Kentucky. I any community of people ever lived, from the time of the dispersion on the plains of Thinar up to this day, who were literally cardled in war, it is to be found in the State of Kentucky. From the first exploration of the country by Daniel Boone up to the year 1794, they were engaged in one savage battle after the other with the Indians of the West, trace the path of an Indian incursion anywhere over the great valley of the West, and you will find it red with Kentucky blood. Wander over any of the battle fields of that great theatre of savage war, and you will find it white with the bones of her children. In childhood they fought the Indians with their sisters and mothers in their dwellings. In youth and ripe manhood they fought them in ambuscades and open battle fields. Such were the men of Kentucky in 1811, when the battle of Tippecanoe was fought. There, as we know, they were still found, foremost where life was to be lost or won, and where they were commanded by General Harrison."

The 76th Regiment of the Militia was formed January 30, 1809, the territory having been that of the 41st, the organization for Henderson County. Stephen Ashby was the first Colonel of the 76th.

The Captains of pioneer days, were Vincent Fugate, Thomas Stokes, Alfred Hewlett, Ebenezer Bourland, Hugh Kirkwood, Barnabas Bisk, Noah Fox, James Wallace, Meizar Brown, John Ruby, John Brock, William Russell Weir, George Timmons, Herbert Browder, while James Allen was paymaster.

Major Daniel McGary commanded the 1st Battalion, but was succeeded by Major William R. McGary, on December 13, 1909. Major Benjamin Berry (formerly of the same rank in the 41st) commanded the 2nd Battlaion in December 13, 1809, a Court Martial having found Major Berry to be an invalid, he was succeeded in turn by Major Reuben Owen, who was in turn succeeded by William Russell Weir. When Captain Weir promoted, he in turn was succeeded by Alexander M. Henry.

Captain Henry's place as Lieutenant was filled by the promotion of Ensign Gilbarg Christian, Captain Alfred Hewlett moved out of the bounds of his company and was succeeded by Lieutenant Joseph Robertson, and he by Ensign William Berry. Campaign Ebenezer Bourland resigned and was succeeded by Lieutenant Charles Bradley. Samuel Berry, Robert Davis, William Jones, Reuben Potter, also William Hensley, were among those holding subaltern commissions, Benjamin Reynolds held the office of Regimental Quartermaster until December 3, 1814; when he was succeeded by Absalom Stokes. At that date, William R. McGary was Lieut. Colonel of the 76th. William Russell Weir, Hugh Kirkwood and John Bell were Majors. In 1816, Dr. Benjamin Wickliffe was Regimental Surgeon.

The militia system was connected with the revenue system, at one time in this period, separate tax commissioners being appointed by the County Court to take the tax list in each company of enrolled militia.

THE EARTH QUAKE

On December 16, 1811, at 2:00 am. dwellers in Western Kentucky were startled by the shock of the great earthquake, the tremors of which continued for weeks. The earth movement centered about Island #14 in the Mississippi, Caruthersville and New Madrid, Missouri; and Hickman, Kentucky; were in the sphere of its greatest force.

Large tracts of a portion of land in Arkansas sank, and in Tennessee, Reelfoot Lake was formed in Obion County, extending into Fulton County, Ky. The Lake took its name from a Chickasaw Indian Chieftan whose tribal village and people sank beneath the waters. This Chieftan had a deformed foot from which he was called Kalopin, which translated means Reelfoot.

There was no hard rock in the Mississippi Valley at the center of the earth movement, the formation being of alluvial soil and of mud to the depth of some 2,000 feet, it offered little resistance to the waves of the movement which came up through it, and tossed the surface into waves. Subterranean material including the detritus of Kentucky coal, which washed away in the process of erosion in ages past, with the accompanying "copperas" spouted forth. The excellence of the account of the historian Collins is quoted: "The earthquakes of this year were the most

alarming and extensive, and the most serious in their effect that ever occurred within these United States, east of the Rocky Mountains. The greatest force was spent in Kentucky, in Fulton County. Shaking the Valley of the Mississippi to its center, extending its vibrations all over the Valley of the Ohio to Pittsburgh and beyond, passing the Alleghenies and their connecting mountain barriers, dying away along the shores of the Atlantic ocean. During the continuance of this appalling phenomenon, which commenced by distant rumbling sounds succeeded by discharges, as if a thousand pieces of artillery were suddenly exploded, the earth rocked, vast chasms opened whence issued columns of water, sand and coal, accompanied by hissing sounds, caused perhaps by escape of pent up gas, while ever and anon, flashes of electricity gleamed through the troubled cloud of night rendering the darkness doubly horrible. The current of the Mississippi River was driven back upon its source with greatest velocity for several hours, in consequence of an elevation of its bed, but its accumulated waters came booming on, overtopping the barrier thus formed, and carried everything before them with resistless power. Boats floating on the surface, shot down the declivity like arrows from a bow amid roaring billows and wildest chaos.

A few days action of its powerful current sufficed to wear away vestiges of the barrier thus strangely interposed, and its waters moved on to the ocean. The day that succeeded this night of terror, brought no solace in its dawn. Shock followed shock, a dense cloud of vapor overshadowed the land, through which no struggling sunbeam found its way to cheer the desponding hearts of the men. Hills disappeared and Lakes were found in

their stead. Numerous Lakes became elevated ground over the surface of which vast heaps of sand were scattered in every direction. In many places the earth for miles was sunk below the general level of the country, without being covered with water, leaving an impression in miniature of a catastrophe, much more important in its effects which had preceded its disaster ages before. On one of the lakes formed, is 60 or 70 miles in length, and from 3 to 20 miles in breadth--in some places very shallow, in others, from 50 to 100 feet in depth."

This was on the morning of December 16, 1811. Twenty-seven of the shocks, all distinct and violent were felt and counted before daylight. They continued until the 25th of December, with decreasing violence, and were repeated at intervals until February, 1812. The shocks came from a little northward of east, and proceeded to the westward. An eye witness who was in a flat-boat loaded with produce bound for New Orleans, thus narrated the scene:

"In the middle of the night there was a terrible shock and jarring of the boats, so that the crews were awakened and hurried on deck with their weapons of defense in their hands, thinking the Indians were rushing on board. The ducks, geese, swans and various other aquatic birds, whose numberless flocks were quietly resting in the eddies of the river, were then thrown into the greatest tumult and loud screams expressed their alarm in accents of terror. As soon as it was light enough to distinguish objects, the crews were making ready to depart. Directly a loud roaring and hissing was heard, like the escape of steam from a boiler, accompanied by a most violent agitation of

the shores and tremendous boiling up of the waters of the Mississippi in huge swells, rolling the waters below back on the descending stream, and toppling the boats so violently that the men with difficulty could stand on their feet. The sand bars and points of the island gave way, swallowed up in the tumultuous bosom of the river, carrying down with them the cottonwood trees, cracking and crashing, while they disappeared beneath the flood. The water of the river which the day before was tolerably clear, changed to a reddish hue and became thick with mud thrown up from its bottom."

The earth on the shores opened in wide fissures, and closing again, threw the water, sand and mud in huge jets higher than the tops of the trees. The atmosphere was filled with a thick vapor or gas to which the light imparted a purple tinge altogether different from the autumnal haze of Indian summer or that of smoke. From the temporary shock and check to the current by the heaving up of the stream, the river rose in a few minutes or 5 or 6 feet, and again rushed forward with redoubled impetuosity, and hurried along the boats now set loose by the horror-struck crew, as in less danger on the water than on the shore, the banks threatened every moment to destroy them by falling earth.

Many boats were overwhelmed in this manner and their crews perished with them. Numerous boats were wrecked on the snags, and old trees thrown up from the bottom of the river where they had quietly reposed for ages, while others were sunk or stranded on the bars or islands.

Mr. Charles Joseph Latrobe, in the first volume of his "Rambles in North America," and who was a passenger on the "Orleans", the first steam boat that ever passed down the Ohio river, left an account of the earthquake as it appears on the Ohio.

"The boat was between the Yellow Banks (now Owensboro) and the mouth of the Ohio at the time of the great commotion. When we arrived about 5 miles below the Yellow Banks the boat morred to the opposite bank near a vein of coal. A large quantity of coal was found alre dy quarried, and conveyed to the shore by depredators who had not found means to carry it off, and with this they commenced loading the boat. While thus engaged the voyagers were accosted in great alarm by the squatters of the neighborhood who inquired if they had not heard strange noises on the river and in the woods during the course of the prededing day, and perceived the shores shake, insisting that they had repeatedly felt the earth tremble, kitherto, nothing extraordinary had been perceived."

"The following day they pursued their monotonous voyage. The weather was observed to be oppressively hot, the air misty, and still and dull, though the sun was visible like a glowing ball of copper, the rays hardly shed more than a mournful twilight on the surface of the water.

As they sat on deck they ever and anon heard a rushing sound and violent splash, and now large portions of the earth were tearing away from the land and falling into the river. Every one on board the boat appeared thunderstruck. The domst had dâsappeared about khis time, which circumstance was noticed with awe by the crew.

The second day after leaving the Yellow Banks, the sun rose over the forests the same ball of fire, and the air was thick, dull and oppressive as before.. The portentous signs of this terrible natural convulsion continued and increased. The pilot alarmed and confused, affirmed that he was lost, as he found the channel everywhere altered, and where he had hitherto known deep water, they laid numberless trees with their roots upwards.

The trees were soon waving and nodding on the bank without a wind. Towards evening, the officers of the boat found themselves at a loss for a landing place for shelter. They had usually brought to under the shore; but everywhere they now saw the high banks disappearing, going under overwhelming many a flat-boat and floating raft, from which the owners had landed and made their escape. A large island in mid channel, which was selected by the pilot as the better alternative, was sought in vain, having disappeared entirely. Thus in doubt and terror they proceeded hour after hour till dark, when they found a small island and rounded to, mooring at the foot of it.

Here they lay, keeping watch on deck during the long autumnal night listening to the sound of the water which roared and gurgled horridly, and all around them hearing from time to time the rushing earth slide from the shore and the commotion, as the fallen mass of earth and trees were swallowed up by the river.

The happenings are vividly described in a letter by another eye witness, who recounts the experience of a river-boat Captain. "We immediately cut cable, and he put off into the middle of the river, where he soon found the current changed. The boat hurried, up for about a minute, with the velocity of the swiftest horse,

he was obliged to hold his hand to his head to keep his hat on. On the current running its natural course, which it did radually, he proceeded down the river, and at daylight came to a most terrific fall, which he thinks, was at least 6 feet perpendicular, extending across the river and about half a mile wide. While whirls and ripplings of this rapid were such that his vessel was altogether unmanageable and destruction seemed inevitable, some of the ripples, he thinks were at least 30 feet deep and seemed to be formed by the water's being violently sucked into some chasm in the river's bottom.

He had his men constantly pumping and bailing, by which and with the aid of Providence, he got safe through. As soon as he was able to look around he observed whole forests on each bank fall prostrate, to use his own comparison, like soldiers grounding their arms at a word of command. On his arrival at New Madrid, he found that place a complete and total wreck, sunk about 12 feet below its level, and entirely deserted, its inhabitants, with those of the adjacent country, had fled therefor refuge, and were encamped in its neighborhood. He represents their cries as truly distressing.

A large barge, loaded with 500 barrels of flour and other articles, was split from end to end and turned upside down at the bank. Of the nearly loaded 30 boats, only his and one more escaped destruction. The water ran 12 feet perpendicular and threw many of them a great many rods on shore, several lives were lost among the boatmen. Just to the south was Caruthersville, which, according to all the accounts could justly be called the Sodom of the United States, for the entire town was destroyed. The inhabitants were more fortunat, however, than the ancient people, in that they found safety in the hills and forests.

A graphic description of the calamity in this community has been left by Timothy Flint: "They had their settlement, which consisted of 100 families and which was located in a wide and very fertile bottom, broken up. When I passed it and stopped to contemplate the traces of the catastrophe which remained after seven years, the crevasses where the earth had burst were sufficiently manifest, and the whole region was covered with sand to a depth of 2 or 3 feet.

The surfaces were red with oxidized pyrites of iron, and the sand blows as they were called, were abundantly mixed with this kind of earth and with pieces of pit coal. But two families remained of the whole settlement.... When I resided there, this district formerly so level, rich and beautiful, had the most melancholy of all aspects of decay, and tokens of former cultivation and habitation, were now mementoes of desolation and destruction. Large and beautiful orchards left in ruins, houses uninhabited, deep chasms in the earth obvious at frequent intervals. Such was the face of the country, although the people had for years become so accustomed to frequent and small shocks, which did no essential injury, that land was rising again in value, New Madrid was slowly rebuilding and with frail buildings adapted to the apprehensions of the people.

When shock was felt first, night of December 16, 1811 the story goes that some of our old settlers, Indian Fighters, awakened from their dreams of conflict with the foe, thought the noises and rattling of their roofs was a surprise attack of the "pesky red skins", grabbed their ready rifles and stood up prepared to fight it out in the good old style.

At the distance of 130 miles from the center of the quake, shocks and temors were distinctly felt in Hopkins County. The trees of the forests swayed, the houses, rattled and shook, utensils were thrown about, and terror, as of the end of the world was felt. A momento of the great force was left in the form of a crack in the brick work of the Thomas Morton brick dwelling yet standing in the northern part of Mortons Gap. It is a fact that superstitious awe pervaded the community. religious fervor was renewed, sinners saw the light and backsliders renewed their faith.

The Mississippi Valley is a region where earth tremors are frequent, many of them however, of little perceptible force and only recorded by the seismograph. Yet on the following subsequent dates and other dates, earth tremors have been felt in Hopkins County and region around about---On December 12, 1817, July 5, 1826, March 9, 1830, November 20, 1834, September 5, 1839, March 23, 1846, January 24, 1849, April 4, 1850, August 28, 1853, December 18, 1853, February 12, and 23, 1854, November 9, 1856 October 8, 1857, September 21, 1858, August 7, 1860. November 21, 1869, December 14, 1870, and other dates since, then. It is reported that when the San Francisco earthquake occurred, the drill bit hung at the depth of some 1200 feet in the well then being drilled below the Lock Mary Dam, in Earlington, by the walls of the hole closing upon it, this being attributed to the earth movement at that depth.

POLITICS

In these times (1807-1810) in Kentucky, there was practically

but one political party, the Republican, as the followers of Jefferson, Madison, and Clay were called. The Federalist party, led by Washington, Hamilton, Marshall, Adams and Jay, constructive statesmen who had given form and organization to the government and launched it, had divided into factions. Its end had begun before Aaron Burr killed Hamilton in the duel at Weehawken. Its opponents had been converted to and had adopted the Federalist's part principles of nationalism, and the Federalist party had allowed itself to be manoeuvred into opposition to its former ~~and~~ original measures. The French sympathy had forced the Federalist party to become the unpopular advocate of and even to truckle to the British interests.

The suicide of the Federalist party finally became an accomplished fact in 1823, even in its strongholds in the north and east, but long before then, it had ceased as a party, to be a factor in Kentucky affairs. The early political conflicts of Kentucky were chiefly waged between rival candidates and leaders of the Republicans. Even then, the scramble for public office, unprofitable though it was, had assumed much the complexion that has since distinguished it. Even wire pulling was not an unknown practice. When David Wright, the first Sheriff of Hopkins County, removed his residence to Henderson, the County Court as was its custom, recommended to his Excellency, the Governor, as a proper person to be appointed Sheriff, an influential citizen of the County, William R. McGary.

Their order is as follows:

Hopkins County, Sct.

January 25, 1808.

It is ordered by the County Court, a majority of the Justices thereof being present, that William McGary be recommended to the Governor of this commonwealth as a proper person to discharge the duties of a Sheriff in this county, David Wright, the former Sheriff, having vacated his office thereof by removing from the County and having failed to give bond and security for the collection of the county Levy and Revenue tax. (Signed) Samuel Woodson, Clerk.

Abner Martin was a partisan of James Baker, the deputy Sheriff under David Wright and a foe of the McGary's, discovering in some way that the Court's recommendation had been delayed, seized the opportunity to present a petition of Urban Ewing and other Christian county politicians, prominent friends of his excellency, the Governor, and procured their signatures. They, of course, knew Martin, but probably did not know Baker or McGary, or anything about Hopkins County politics, and caring nothing about these matters, signed the petition just as people have done a thousand times since and even yet will do.

Their recommendation was as follows: To his Excellency, Christopher Greenup, Esq; Governor of Kentucky:

We, the subscribers understanding that David Wright, late Sheriff of Hopkins County, has removed himself out of the County and that the business of the Sheriff has been done for some time previous to Wright's removal by James Baker, and as a sheriff for the said county of Hopkins will have to be appointed and as the county court of said county, have not made any nomination agreeably to the Constitution --(we understand) we do recommend to your Excellency, as a proper person to fill the office of Sheriff for Hopkins county, James Baker, the now acting Deputy. (Signed) Abner Martin, Urban Ewing, John Sharp, James Ferguson, Samuel Caldwell, John Yung, Young Ewing. February 15th, 1808.

Martin followed this by his own letter to the Governor, as follows: To his Excellency the Governor of Kentucky: Dear Sir; I have been informed since I came to this place that there is a Mr. William McGary recommended for the Sheriff's place in the county of Hopkins, Ky. I think it a duty I owe to my County and to Mr. James Baker to inform you by letter as I am here, that Mr. McGary is a man that would not please the people of that county, and on the other hand think Mr. Baker a very suitable person to fill that place. I can safely say he will please the most of his county, only McGary's party excepted, you will recollect that Mr. Baker had been for some time and is now, the acting deputy. Having had the pleasure of Mr. Young Ewing and Major Urban Ewing's acquaintance, I will refer you to them to vouch for the truth of what I have here and above stated. I am your excellency's most obedient servant, Abner Martin.

Governor Greenup without inquiry acted on this recommendation on February 18, 1808; and appointed and commissioned James Baker as the Sheriff of the County of Hopkins. Later he received these two communications:

To his Excellency, Christopher Greenup, Esquire; Frankfort, Kentucky.
February 25th, 1808.

Dear Sir:

Since our arrival here we have been credibly informed that David Wright, lately commissioned Sheriff of Hopkins county, is residing in Henderson County and has been for several months past, in consequence has resigned his office. The County Court it seems, have recommended one to supply his vacancy and not doubting their wish for you to commission him, we believe this appointment will be generally pleasing to the people. We should have addressed you to obtain this commission for

some person, for the office has been, and is like to be a vacant several months.

We are respectfully your Excellency's Obedient Servants,

Daniel Ashby, Phillip Barbour.

To His Excellency, Christopher Greenup, Governor of the Commonwealth of Kentucky:

Dear Sir:

We understand by Colonel Daniel Ashby and Captain Phillip Barbour, that David Wright of our County, who was commissioned Sheriff of our County, has moved out of our county and we have no sheriff, our Circuit Court coming on shortly, we wish William R. McGary to be commissioned to fill up the vacancy as he was recommended by a majority of our county court, and it is our sincere wish, being the two assistant judges for the county, that McGary be commissioned in time to do our business at our March circuit, as there is a good deal on the docket. The recommendation was sent by the mail some time ago, but the highness of water has prevented the mail from passing.

We are Sir, your most obedient and humble servants,

Thomas Prather, Vincent Fugate.

This paper is endorsed on the back: "Letters and papers concerning the Sheriff of Hopkins County received too late, James Baker already commissioned, February 29, 1808.

Baker presented his commission to the Hopkins county court, and the justices thereupon refused to allow him to take office or to execute bond as sheriff, on the ground stated by it, that he had not been a resident of the county for one year. The majority of the court was with Baker, and signed these exceptions, James Baker came into the court and moved to qualify as sheriff, it appearing that he was appointed and

commissioned by the Governor and Senate and offered to give security which the court would not permit him to do, whose opinion we beg leave to except. 1st, Because we believe it contrary to law, 2nd, because it is contrary to the third article of the constitution, thirtiety section, which authorized the governor and the senate to appoint any person to act as Sheriff. We pray judgement of the court and a preemptory mandamus.

Richard Davis, Isham Browder, Thomas Adams.

The learned justices, we submit, were in error, because Baker's appointment had not been recommended to the Governor by order of the Justices. True, their recommendation was of McGary alone, instead of Baker's appointment, which seems to have been unauthorized. So the county was without a sheriff for a spell.

When the circuit court sat in due course, Thomas Towles, the Commonwealth's attorney, moved for a rule against the Hopkins county court to show cause, if any it could, why it should not admit James Baker to the office. Meantime, as might be expected, fistifuffs ensued between Abner Martin and William R. McGary, and Martin had McGary in the Hopkins Circuit Court for assault and battery. This never came to a trial, McGary paying the costs and the action being dismissed. James Baker resigned and on July 16, 1808; William R. McGary was appointed and commissioned by Governor Greenup as Sheriff of the County of Hopkins in his room and stead. The office was not worth fighting over, as the emoluments were so small. But the principle of organization was evidently involved, and the organization candidate won.

James Baker was born in England in 1761, and died in Hopkins county leaving several children, and his descendants are numerous. He

married Sarah Davis, (1774-1846) in Virginia in 1792. Their Children were, Richard Davis Baker, 1798, Dixon Baker, 1803, William Baker, 1808; Caleb Baker, Elijah Baker, John Baker, Mehala, wife of William Thomason, Harriet, wife of Thomas Downey, Thurza, wife of Larkin Martin.

War with Great Britian was long expected and hoped for in Kentucky, and but for the stupid opposition of Humphrey Marshall and the remnant of the Federalist party, the futile peace politics of Madison and Jefferson and their weak and dilatory tactics would all but have completely estranged Kentucky from their party, for Kentucky's fate and destiny, like that of her western neighbors was bound up in the causes of that war. In anticipation of the war, Governor Scott, (May 9, 1812) proceeded to organize ten regiments of militia understood to fill Kentucky's quota of 5500 men for the expected war, and called 1500 men to active service immediately for the relief of General William Hull's force at Detroit. War was declared June 18, 1812; and the levies began to assemble at Georgetown and were being harangued by Henry Clay and other orators. The General Hull was ignominiously surrendering Detroit to the British Canandians and Indians.

There was intense indignation, President Madison had appointed to command in the West, General Winchester of Tennessee. This appointment in view of the concilatory and dilatory conduct of the president and Secretary of War, was not received with great confidence by Governor Shelby. A conferency of high officials of Kentucky was held, and General Henry Harrison was chosen to command the Kentucky troops with the Brevet rank of Major General. The appointment of a non-resident of the State to command its troops outside the State was a unprecedented act. However, Governor Shelby after the act, secured the approval of the President.

GENERAL HOPKIN'S EXPEDITION

- Pursuant to Governor's Shelby's stirring proclamation of September 8, 1812, Captain Wolf's Company proceeded to Vincennes, where General Samuel Hopkin's little army of 2000 Kentucky young volunteers assembled and marched against the Kickapoo villages. This ill-starred expedition was misled by its guides, half starved and worn out by fruitless marches to no purpose, they mutined and returned to the capital of Indiana notwithstanding the wishes of their general. The contemporary account of George Walker, one of the volunteers, (being Mss. 9u, 14; in the Draper collection and hitherto unpublished) is as follows:

Jessamine 1st, November, 1812.

My friend:

Your inquiry into the cause of the ill success of the campaign under command of major general Samuel Hopkins against the Indian tribes on the waters of the Wabash and Illinois rivers is not to be wondered at when the object of it was so interesting to our government, and the suffering inhabitants of the territories of Indiana and Illinois, for whose immediate relief our countrymen with spirit and promptitude repaired, honorable to the American people, and particularly characteristic of the people of our western waters, who from the earliest settlement to the present day have with alacrity volunteered to repel savage invasion or to avenge their country's wrongs.

I cannot, my friend, ascribe the want of success to any particular cause, but to a variety of causes, some of which were of a character not within the control of our worthy commander in chief, his officers, or men. Pardon me for giving you the trouble to read a recital of facts so unfortunate to our country, and so grating to the feelings of its friends. Believe me, sir, it is not more painful for you to read, than for me to recite, facts which lead in some measure to the development

of our country's misfortunes. But painful as the relation is, my regard for you, a respect for the cause of truth, and earnest desire that my country should hear the plain truth of an unfortunate adventure, are sufficient inducements with me for giving you the following details.

Before I proceed to state the route taken by the army, the distance they traveled, and the proof they had to convince them they ought to pursue the course they did, permit me to make a few general remarks, some of them may not be immediately connected with the causes of failure, yet do in part account for it, and being willing to believe you will be pleased to know every incident that would in the least throw light on the subject, I have thought proper to make them. By the proclamation of Governor Shelby, the volunteers were to have furnished themselves with 30 days provisions, which I have no doubt was done by the greatest number, but the distance they had to travel to the place of rendezvous, Vincennes, necessarily consumed the greater part of their stores, and the detention of those who first arrived, occasioned by their having to wait for the troops from a more distant quarter, caused almost the total consumption of the remaining provisions. This circumstance also accounts, for the protracted march of the Army which however was not easily effected.

To facilitate this object our commander-in chief ordered the companies as they arrived to be mustered, which was punctually complied with, and reported by General Butler, and as soon as numbers sufficient were mustered, Battalions, Regiments, and Brigades were formed and officered by the suffrages of the officers commanding companies. This mode was chosen by our commander in chief as being more congenial to volunteers than to appoint the field officers himself. Our troops in-

creased rapidly and no previous arrangement having been made for provisioning them, it was not without considerable exertion of our general that the troops were supplied with rations, so that added to the difficulty of getting provisions, that, and the want of funds, consequently supplies could only be obtained from the personal responsibility of the General and through this means the provisions, corn and wheat were procured. Mills being scarce in the vicinity of Vincennes, and the waters low at that season, the corn and wheat purchased by the General was sent to such of them as were in operation, guards set over them to prevent the grinding of the other grain till the than pressing exigency was covered.

Could greater solicitude be conceived, exertions made, than made by the General on this occasion, as well as to relieve the necessities of his troops, as to facilitate the object of the enterprise? On my arrival at Vincennes, I found the General very unwell and during the time I was with him, which was from the 29th of September until the 25th ult; he continued unwell and such was his indisposition on the route from Vincennes until our return to Fort Harrison from the expeditions, that often it was with difficulty he could get on or off his horse, such indeed was his desire to avenge his injured country by the destruction of its enemies, he seemed insensible to personal affliction and possessed of no sensibility but for his country, and so true is this, that he scarcely ever complained even to his own family. This I can with confidence assert, having been a member of that family myself during the whole route, in fact, it is but justice to the General's character to say that the march of the army was not in any manner retarded by the indisposition of their General, or its pursuits rendered abortive by any causes under the control of his authority.

I will now return to a description of the route of the army for the Kickapoo towns, and what it was that disposed the General to take that direction, and what evidence we had that this direction was the most proper one. Let it first be observed that the guides on whom we relied to conduct us to those towns were recommended to our General by the Governor. Those guides or such of them as seemed most acquainted with the geography of the country, through which we were to pass, informed us that the Kickapoo towns were about 90 miles from our Camp, which at that time was 4 miles from Fort Harrison, and knowing that we were at as great a distance from the Prophet's Town, and thinking it most properly, from previous information that the enemy had evacuated the latter place, we were induced to take a direction to the former, concluding at the same time, that should we not meet our enemy here, we could proceed to the Prophet's town, or fall on Peoria and form a junction with Colonel Russell's troops or the Illinois which might then be found most expedient. These then, were among the most weighty considerations which our General, for pursuing the course taken by our army, and among the most striding evidences to the troops that this course was the most proper one.

As to the persons recommended to the consideration and notice of our General by Governor Harrison, as above alluded to, I think it highly necessary that you should be informed of their names, characters and standing in the country where they reside, that you may more fully account for the confidence that was reposed in them by the army. The first of these was a Mr. Lazel, who acted as our principal guide, the second was a Mr. Baroun who accompanied us in the capacity of an Interpreter, and the third, a Major Dubois who acted as Major of the Spies. All were citizens of Vincennes or its neighborhood, where they are all held in favor and esteem, and as to myself, I have no doubt of their merit.

The last mentioned gentleman, Major Dubois, conducted the army under General Harrison to the Prophet's town last fall and acted a conspicuous part in vanquishing the savages in that memorable battle at Tippecanoe, but this gentleman did not take a part in directing our course to the Kickapoo towns, his being a Major of Spies, he did not undertake to guide us, this gave me better opportunity of becoming personally acquainted with him than with the other gentlemen, and I hesitate not to say, that I think he highly merits the confidence placed in him by General Harrison and our Army. Pursuant to resolutions entered into at our Camp above described, we proceeded by the direction of our guides towards the Kickapoo towns. On the second days march we followed an Indian trail, on which we found some cartridges, boxes and other trifles, which we supposed were taken from the men who were killed between Vincennes and Fort Harrison while conducting provisions to the army at the latter place. Our finding these articles afforded considerable encouragement to the troops who seemed now confident that we were on the proper direction to the towns.

On the third day we found on the trace, two more cartridge boxes and a canteen. On the fifth night we arrived at about 12 pm at a Council House and cabin where two small fields of corn had been cultivated the preceding summer. From the appearance of the place, the Indians had recently left it. We found the Council House to contain a scalp, and we supposed it to have been taken from a white person, also, some mats made of flags. The evening before we were informed by the guides that we were near the village, being then in the prairie and no grove near, about sunset the General ordered a halt where there was some grass to refresh our horses.

The design was to march about 10 o'clock that night in order to

get to the village by the break of day, but circumstances transpired not long after our halt which obliged the General to consent to march very much against his will. At daylight, examining the ground around the Council House, we found three traces from thence, on the middle one a cart track was discovered. Our men were anxious to march, and the guides were sent to examine the traces, they, finding, that the Cart had one on a new trace, followed that trace till they gained the summit of a hill from which they spied a fire behind a grove at about 8 or 10 miles distance, where they imagined there was a village. This information was given the General and the Army was conducted that way, and it was the general opinion that there was a village at the grove before us. This infused new vigor in the men and they marched on in high spirits and good order and behaved themselves extremely well. And fully persuaded as I that had they met the enemy, they would have fought with ardor and intrepidity.

But on arriving at the grove and finding no village or enemy they were greatly disheartened. Our route was then changed on the same evening to the one that two of our spies that fell in with the trace that had been followed by the cart, and they were of the opinion that the cart had passed but a few days before. The army however, kept their course and about sunset reached a small grove to the south-west of the Council House and about 10 miles from thence, here we struck an old trace, and were informed by a man from Nelson County, then of Major Speed's Battalion, that he had the summer before assisted in building a house near the Council House for a trader, as he had before our arrival at that place described it so accurately, I am induced to believe what he said with respect to the Kickapoo towns, he said they were 15 or 20 miles from our camp, so confident was he of this, that he got a man to

go with him that night, on to the trace, but they did not proceed far, the prairie being on fire that evening, which was discovered about the time we got to the grove and supposed to be 10 or 12 miles from us, we were not encamped more than an hour when the fire approached as rapidly and we had considerable apprehensions for our safety. I had never before witnessed a scene as grand and awful. Columns of flame to an astonishing height driven with the velocity of an eagle by a strong southwest gale threatened nothing less than speedy annihilation, which was more to be feared from the smallness of the grove, it containing not more timber than was sufficient for fuel for the army that night and containing in all not more than 12 acres.

The last two men noticed did not return till morning and after the departure from camp. The report of the man from Nelson was, that he felt confident that the trace we had been on when the army turned its course for Fort Harrison that morning, led to the Kickapoo Towns, and that they were not more than 20 miles off. I did not hear the man make the report, but was informed that such was his statement. And it is my opinion that we were near the towns as well, from the evidence above as from the corroborating testimony of our guides, added to my own observations on the course, route, and Council House,

But if we were not near those towns, we must conclude that the village we passed as erected for the accommodation of a Council, composed of the Indian tribes living on the waters of the Wabash and Illinois rivers and those of the Kickapoo tribe, the latter of whom from the best information live in the grand prairie and not on the Illinois and Wabash, on any waters running into either of them. That it was not erected for that purpose is most probable from these reasons.

First, because corn had been raised there the preceding summer and a cabin evidently used as a store house, cart or wagon had been used. Wheel carriages are not in common use among the Indians, it is not to be presumed, because hitherto it has not been known, that the Indians have among their own people, handy craftsmen, the carriage then must have been employed by a white man and a trader to move his goods from one village to another. That the Kickapoo Villages were not far from the house and fields above mentioned, is most probable from further considerations. There were three traces leading from the place, and it being well known, that the Kickapoo towns are in prairie and between the Wabash and Illinois rivers is about NNW or N. 23 W. and our course traveled from Fort Harrison the first day, being nearly west rather than south of west, and the three succeeding days nearly a north course, the Kickapoo Villages from the information of Lazel and the man from Nelson county, being southwest of the village we passed, we can but conclude that we were in a tolerable course for the towns. Admitting the course taken from Fort Harrison was not the most direct one, that our guides were no woodsmen, did not direct us the nearest route. We are almost forcible led to conclude that the direction taken by our army was the most likely one to lead to the accomplishment of our purpose. I have now given you an account of the most remarkable occurrences relating to our unfortunate expedition. If it is not satisfactory information that could be given on this subject it will at least throw some light on it. I shall forbear to remark anything further, until we have an interview, unless you should require it by letter. I will then give you any information that you may desire if it is in my power.

With sentiments of respect, I remain

George Walker

Chagrined at the results of this attempt, in the succeeding November General Hopkins led a band of infantry up the Wabash, and destroyed several deserted Indian villages, but lost several men in an ambushade. His wily enemy declining a combat, the cold proving severe, he was forced again to retire to Vincennes where his troops were disbanded. These operations clearly demonstrated again the futility to carry on warfare of any kind with volunteers or raw recruits. The conduct and insubordination of these volunteers was indefensible, and the consequences thereof could only be limited or measured by the importance of the operation or the results of its certain failure. This is no reflection upon the individual manhood, courage or loyalty of General Hopkin's men, but however high individual qualities may be, and whatever their superior value when organized, trained and disciplined for military purposes, these very qualities, in the absence of training, only promote and emphasize disaster.

To General Hopkins Expedition against the Indians in the fall of 1812, went Lieut. Epps. Littlepage, Clark Landers, son of Colonel Abraham Landers, Robert Adams, Matthew Adams, Jesse McGary, Scarlet Nixon, Samuel Compton, and Asel Weir, all expert riflemen who served under Captain Cornelius Washburn in the Volunteer Spy Battalion commanded by Major Toussaint Dubois.

Pleasant Axley and Joseph Trimble, who on his return married Betsy Adams, a sister of Esquire Thomas Adams, were in Captain Moses Shelby's Company, William Davis, Alfred Hewlett, Joseph Winlock, John Evans, Robert Robertson and Cornelius Bone were in Capt. Alney McLean's Company in the Hopkins Expedition. Joseph Winlock, late in the campaign, held a commission as Major in this regiment. In both expeditions the troops were badly clothed and were almost without military equipment.

except of the most meager kind.

THE RAISIN

Upon Hull's surrender of Detroit, the enemy had control of the Great Lakes and all Michigan territory. It was Harrison's task to break this control. General Winchester, in command of the left wing of the army, reached the Rapids of the Maumee, the place of rendezvous on January 10, 1812; there to await the arrival of Harrison. His force was composed of two regiments of Kentucky volunteers whose enlistments were expiring and the 17th Infantry, recruited in Kentucky. Word came to them on January 14, that two companies of Canadian militia held Frenchtown on the River Raisin, the present site of Monroe, Michigan, and Lake Erie about 25 miles north of Toledo. There was an appeal from the inhabitants who feared a massacre by the savages.

General Winchester detailed 660 volunteers who marched upon Frenchtown and gallantly attacked and drove out the garrison on the 18th. The General then began the blunders which forerun disaster. Malden, the headquarters of a superior British force under Colonel Henry Proctor, was only 18 miles away, and the hard frozen surface of the Lake made an easy highway to Frenchtown, General Harrison was too far away to reinforce him, but Winchester, taking with him 200 men of the 17th Infantry hastened to occupy Frenchtown, establishing his head-quarters in a house a mile away. He encamped his regulars in the open, outside the stockade occupied by the volunteers. The next day but one, after Winchester's arrival, a Frenchman came in and informed Winchester that a large force of British and Indians had left Malden to attack him. The news was discredited and not even the precaution of throwing out pickets was taken.

The next morning at dawn, 200 savages painted black and red, maddened by drink, re-entered Frenchtown, and with no hand to stay them, tomahawked, scalped and burned at the stake, or in the houses where they lay, their helpless victims.

Ordinarily a government like Great Britain would have hanged an officer guilty of such conduct, but such was the state of mind of the times, that Proctor was praised and promoted. Hard as it may be afterwards for us, who regard the Canadians as our brethern, to understand this, they have been taught to revere the memory of Brock and Proctor and the renegade Simon Girty as their saviors and national heroes, that all history not creditable to the British arms is a lie, to regard the pioneers of our west as barbarians, for whose scalps they could in all good conscience pay bounty to the savage allies of their king. There has been no corresponding feeling on our part, no resentment or prejudice against the Canadians, but on the contrary, nothing but a genuine respect, affection and good will, which does make difficult to us the realization of their viewpoint.

Mr. Thomas Chiles Davis, (eldest son of pioneer Richard Davis) a regimental surgeon was killed at the Raisin. Tradition has it that James Wilson and Willoughby Ashby were among the prisoners and escaped their Indian Captors.

Harrison reached the Rapids the day of the disaster, and even then, before he knew of it, he realized the dangers of the critical military position, and sent back to Kentucky a call for re-enforcements, and began the construction of Fort Meigs. Had Proctor followed up his advantage, while the fortifications were incomplete, the northwest would have fallen into his hands. Governor Shelby raised four regiments

which under the command of General Green Clay, reached Fort Meigs April 12, just in time to raise the siege. Colonel William Dudley was sent out with 800 men to capture the British artillery on the opposite side of the Maunce, but knowing when he succeeded in his mission he would have to spike the cannons, he did so, and then imprudently followed the Indians too far and was himself killed and his force captured.

Proctor hearing that General Dearborn had captured Fort George at the mouth of the Niagara, abandoned the diege. He turned his force of 1800 men against Fort Stephensonfi held by Major George Croghan with 160 volunteers, who covered themselves with deathless glory in the bloody repulse that followed. Proctor then made his way to Malden, ten miles south of Detroit on the Canadian side.

Harrison now put in his time preparing for an attack on Malden. Governor Shelby issued his famous proclamation calling for volunteers to assemble at Newport on August 31, saying, "I will meet you there in person, lead you on to the field of battle and share with the men the dante s and honors of the campaign." Hopkins county furnished a company, commanded by Captain William R. McGary of which the roster is as follows: Captain William R. McGary's company, 5th Regiment, commanded by colonel Henry Renick. Israel Davis, Lieutenant, Henry Ashby, Ensign, Hugh Kirkwood, 1st Sergeant, Robert Sisk, 2nd Sergeant, Benjamin Sotkes, 3rd Sergeant, Samuel Berry, 1st Corporal, George Hooker, 2nd Corporal. Hacob Tucker, 3rd Corporal. Privates---John Bell, William Blair, Benjamin Kilbourne, Gabriel Bourland, Samuel Bourland, Roderick Bryant, Thomas Earl, Jefferson Fulcher, Martin Griffith, Lemuel Hewlett, Jesse Majors, Thomas Logan, Granderson McGruder, Michael McKinty, Samuel Morrison, Stephen Murphy, Samuel Nisbet, Wiley Parker, Thomas Ross,

Meredith Sisk, Asa Sisk, Elijah Timmons.

On the march the army reached the Raisin on October 15th. The graves of our fallen ad been opened and their bones lay bleaching, scattered about. Diligent search was made, and 65 skeletons were recovered and reverently buried. Later these restless bones were exhumed and re-interred in the Monroe Cemetery and moved thence to the Protestant burying ground at Detroit, thence in 1834 to the Clinton Street Cemetery, and in September of that year were removed again to rest in the Frankfort Cemetery.

20 British officers of the 41st were conveyed to the Frankfort and there by order of the President, confined in the State Penitentiary for a considerable period, their protests were vigorous but won little sympathy while the horror of the Raisin was fresh in the minds of their captors. A list of the 40 convicts in their prison was made which excited comment from the Canadian historian: "Here we are tempted to disgress for a moment to show some of the advantages of American Law-- for instance, we find that for killing a wife by shooting her, four years imprisonment is deemed ample punishment, but that for stealing a negro or a horse, ten years and four years and a half are not considered too severe a sentence."

Colonel Johnson was badly wounded in the fight, and entered politics and became the popular hero. He was elected to Congress and to the Senate several terms, and finally to the Vice-Presidency of the United States (1836) on the ticket with Martin Van Buren. On November 19, 1823, Colonel Johnson presented to the U.S. Senate the petition to the inside of the earth, through the poles, which he claimed were open, and that the interior of the earth was accessible and habitable.

The theatre of war now shifted to the east, and Kentucky's part was not an active one for the year. For the events of civil and social life of this period, we shall return to pick up the narrative after some account of the grand finale of the war at New Orleans.

NEW ORLEANS.

Negotiations for peace began in August 1814, and were delayed-- by design of the English negotiators, until December 24, 1814; when the Treaty of Ghent was signed. Meantime, the largest fleet and military expedition ever organized up to that time by the English was assembling at Jamaica, and sailed under sealed orders. This expedition was designed for the capture of New Orleans and Louisiana, our title to which was not recognized by England. During the peace negotiations this point was mentioned by the British, but the Americans, not knowing of the naval and military operations then projected, did not perceive its bearing.

Major General Sir Edward Pakenham, a distinguished young British soldier, trained in the art of war under the stern eye of his brother-in-law Wellington, the Iron Duke, was entrusted with the command which included the 4th (King's own ^Royal Lancashire Regiment) the 21st (Royal) (Scots, the 44th, (Essex) 93rd, (Argyll and Gutherland Highlanders) and other exact regiments drawn from the English armies in Europe, and several battalions of colored colonial troops, to the number of 16,000. This attack on New Orleans was projected before the peace negotiations began full time was allowed for its development. The British believed, at the time they signed the treaty, that New Orleans and Louisiana was then in their hands. Their plan was frustrated in and by delays in the expedition.

The expedition reached the American coast before the treaty, but the resistance encountered still further delayed its progress, so that

the decisive battle was not fought until January 8, 1815; thirteen days after the treaty was signed. Even then had victory rested on their banners, England would still have claimed Louisiana. The victory of New Orleans saved for the Union the vast area west of the Mississippi.

The call for soldiers was made in July 1814. That portion of Kentucky's quota destined for use at New Orleans was 2200 men. They were immediately forthcoming. The story of their movement is marked by that same ineptitude, incompetency and inefficiency as the part of the War Department has played in every other war. The American citizen has always come when called for war, only to find that no adequate provision for moving, arming, equipping, clothing or encamping an army has been made. Unnecessary losses of life, time and money incident to preparing for war after the war begins, has always ensued final results being obtained through patriotism and valor, at an enormous cost.

Governor Shelby offered 10,000 men, if wanted. He was assured that pay, equipment and transportation for the Kentucky troops would be made available promptly by the U. S. Quartermaster. No such officer came to the rendezvous on the Ohio. There the expedition would have ended, had not Colonel Richard Taylor, the Quartermaster of the State Militia, on his personal credit, borrowed the money to buy boats. Some of these vessels were unfit for use and had to be repaired en route. Several days were lost while at the mouth of the Cumberland the voyagers cut trees, rived boards, to repair the sinking barges. No camp equipage was supplied. Colonel Taylor brought 30 iron pots and kettles, one for each company of 80 men. A half supply of rations there was, to be supplemented as might be, on the journey down the Mississippi. Arms there were none, except a few rifles taken along to kill game.

An advance of two months pay was due when the militia was called

out of the State. The United States Quartermaster made this advance to the Tennessee contingent, but withheld it for some reason from the Kentuckians. Believing they would be furnished suitable clothing and pay, blankets, arms and munitions with reasonable promptness, they left home with little else than the one suit of clothing they wore, usually the hunting shirt of homespun and their jeans. (L. F. Smith, Filson Club, 1914.)

The old story to every Kentucky soldier in every war, the uniform result of what ironically may be referred to as the military policy of the United States. Curious, that intelligent people shift their eyes away from the disagreeable fact that war always is a possibility, that it is a standing threat, that it always will threaten, and will occur, yet learn no lesson, ignore their experiences and losses in the last war and make no preparation for resistance until the next war actually has begun. Military preparedness has not been popular, and there is even deliberate propaganda against it. Candidates for office seldom urge it. In fact, candidates for office sometimes elected to avow their opposition to military preparedness. Misguided, but well-meaning persons oppose military training in school and the universities. Many pulpits are filled by preachers and they capitalize on pacifism. And never before any past war had Congress provided funds for preparation until before World War II. Here the country had been actually at war for nearly three years, yet still was blundering and muddling in the matter of supplies and training.

The operations of the British against New Orleans were well under way in December 1814, the first engagement beginning on the night of the 23rd, 11 days before the 2200 unarmed Kentucky reinforcements arrived. At that time the left bank of the River Chalmette, 3 miles below the city

had been fortified by an earthen bank thrown up along the north side of an old dry and grass grown canal or mill-race leading out from the river to the wooded swamp, to the length of 1700 yards. The work had been hastily done, but well done, under the direction of Major Latour, General Jackson's engineer officer.

The rampart in most places was 20 feet thick at the base and some 5 feet above the bank of the canal. Boards and posts and logs were used here and there to prevent the alluvial earth from sliding into the canal. On the right, where the artillery was placed, cotton bales, bages of cotton, 9 feet long and 2 feet in diameter, were used to face the equalments and flank embrasures. The winter was unusually severe and the Kentuckians went into bivouac on the muddy ground in the icy wind, without blankets, tents, adequate clothing or arms.

The citizens of New Orleans supplied the deficiencies as well as their scanty means afforded, and before Sundays, January 8, 1815; one thousand and fifty Kentuckians were somewhat armed so as to be able to take their place behind the breast works of the left and the center, reinforcing the Tennesseans. These included Colonel Gabriel Slaughter's regiment. There were a few men from Hopkins County who participated in this battle.

But to return to our Circuit Court. Crunkards continued to be presented and to be tried by Judge Brodnax, men who were charged with the excessive use of ardent spirits to the loss and overthrow of their mental faculties. Among others a Richard Foley was fined for being drunk in court, and there were six others for drunkenness at that term. William Allen, Robert Brown, Hiram Sisk, Michael Anderson, James Logan, Samuel Ashby and Daniel Fox. Among ther other pioneers caught in this same fault a little later were Samuel Cox. James Whitesides, Isaac Rust,

James Ramsey, Isaac Coffman, Jesse Matthews, Isaac Conner, Brown Hooker, and again, Daniel Fox. George Griffith and Hiram Kirk were also severely fined for being drunk in court and also upon later presentments for being drunk out of court.

William Noel was fined for selling liquor without license, as was Reverend Joshua Barnes and Benjamin Davis,-- but Governor Scott remitted Noel's fine. Strong drink was raging, even in those days, so continues each year until this writing. Yet now in some quarters comment would indicate that bootlegging, drunkenness, drunken violence and that disregard for law, so comically lamented by thirsty individuals themselves militant in violating it, is a new and unheard thing, arising solely from the deprivation of personal liberty under the 18th Amendment. Assault and battery was charged against Benjamin Petties, and against Robert Chisney who beat up William Bird, John Sish, who attacked George Griffith, John Bell who assaulted James Saffron at Noel's Tavern and Henry Neeley for conflict with John Robinson, Peter Matthews with Joseph Saffron, and Jacob Holeman with Benjamin Die.

June 21, 1813, must have been a gay day in Madisonville--Isaac Williams beat Thomas Cardwell, Robert Black assaulted John Whitesides, Alexander Ashby fought Stokes, and other joyous combats raged. Judge Brodnax left court to proclaim the peace in his proper person. It was then he swore the oath, for which next day he paid his fine. Note this-- although every pioneer carried a tomahawk and a hunting or sheath knife, and everyone had an generally carried a fife, these weapons were never used in the adjustment of the personal misunderstandings. Such wuse was bad from the fact that it was frowned upon by all as bad form. There is no early case of shooting in any private quarrel, and only one case of stabbing can be recounted.

The first lunacy inquest was in the case of William Curry, Captain

Michael Wolf was his first keeper, but later Samuel Cox levied \$60.00 for keeping him twelve months. Joseph and William French and Meredith Edwards were accused of being vagrants and sent for trial to a Justice of the Peace.

Delinquent road surveyors indicted for neglect were Solomon Silkwood responsible for the road "from Madisonville to Steuben's Lick," Jonas Menser, "Tradewater to Lick Creek," Samuel Thomasson, Madisonville to the "Creek west of Bratton's," Hash Nichols, from the Junction of Bull and Slover Creeks to Harpe's Head." Robert Chisney "from Mühlenburg to Brock's Hill," Hobson Brown, "from Madisonville to Payton's Ford," Samuel Aldman, from "John Stull's to the County line toward Russellville," John Simons, from the "branch betwix John and Stephen Ashby's to the mill seat on Deer Creek," and Morton Maulding, "from Madisonville to Pond Creek." Verily the road surveyor's lot was not happy.

Another vexatious duty was jury service and many were cited for contempt in disregarding the sheriff's summons. A few of these were William Clayton, Ebenezer Alexander, William Stewart, John Matthews, and James Hester. All these were discharged except John Matthews, who was fined fifty cents for leaving the jury without leave of court, so was Liner Branson fined fifty cents for the same offense. At other time, Samuel Guiller, Samuel Leeper, Grand Jurors, and John Miller, Andrew Buckham, Solomon Silkwood, Alfred Hewlett, Alexander Henry and John McMullen, all were fined for leaving the court when on jury duty without the leave of Court.

James Brooks peddled without a license and was duly presented.

Leonard Corum was found guilty of some offense not known now, as the indictment is lost and was sentenced to be whipped. The jury convicting him was composed of these twelve good men and true: Henry Goodlow, Nathan Steen, Timothy Sisk, Thomas Sisk, Willis Sisk, Robert Sisk, Charles Bradley, Andrew Buckham, Howard Finley, William Berry, William Hawkins and Jonathan Arledge. The judgement read, "that he be taken from hence to the public whipping-post and there to receive on his bare back five stripes as by the jurors aforesaid in their verdict aforesaid is assessed, and that he be then committed to jail until he shall pay the cost of this prosecution."

Corum was a confirmed offender, and later being in jail was turned over to an army recruiting officer, and being at "Orleans" when his case was called, was dismissed. Jeremiah Claxton, laborer, was charged with being drunk and with another offense in which Peggy Ross was a participant, was dismissed upon showing that he was then at "Orleans" where he lost his life. William Bratton, charged with stealing a pale red and white steer valued \$3.50 the property of Daniel Ashby, "forfeited his bond and was duly and formally declared an outlaw. The process of outlawry came from the English common law. By it an offender or defaulter was definitely put out of the law, that is, deprived of its benefits and protection. In earlier times he was called a friendlessman, one who could not by law, have a friend. An outlaw was said to be caput genere lupinum, as having the head of a wolf, by which it was meant that anyone might knock him on the head as a wolf in case he

would not surrender himself peaceable when taken. He forfeited everything he had wheter it was in rights, possessions, obligations or contracts. It was just following this judgement that the Judge "adjourned court until tomorrow morning at 5 o'clock, June 17, 1812." We might read in this another indication of some impatience in the judicial mind. On June 22, 1812; Court was adjourned until "tomorrow morning at 6 by Judge Thomas Trather, but at 9 was the usual hour for the Court sitting.

Edy Brown exhibited articles against her husband, Moses Brown, the tanner, and he was bound over to keep the peace, and James Ruby, "swore the Peace" on George Branson, and William Stewart of Christian County to be bound over to keep the peace after Stewart had been fined \$40.00 for assaulting him. Isaac Conner, yeoman, and Sarah, his wife, not having the fear of God before their eyes, forcibly entered the house of Elkanah Grace and menaced his wife Mary, and did pull down and carry away a loom, or so it was said, but they were dismissed in due course.

Richard Playl was acquitted of the charge of fraud by forery of a note of Frederick Williams' of Christian County, puporting to be a promise for payment of fifty bushels of corn. Let it be noted that there were the only two charges of dishonesty in these five years. Our first murder case came at the March term, 1813; while John Oldham was our Commonwealth Attorney. Luch Grisman the younger, spinster, loved a soldier not wisely but too well, and little Lucy learned too late that men betray, and with inconvenient results. The child was born near the house of Philemon Richards, on the headwaters of Highland Creek in the northern section of the County.

The elder Lucy, had been for a long time a leader in the Baptist Chruch both in her old home in Franklin County and here, and crazed by

the shame and disgrace of her erring daughter, she attempted to conceal the birth--but tongues wagged then as now, and the result was an indictment of the Commonwealth of Kentucky against Lucy Crisman, the elder, for murder. Whither she fled, now one knows, but after the arrest warrant was returned with this notation on it, "No inhabitant of my bailiwick" written by the Sheriff on the warrant, and after a few continuances with new process, the case was then stricken from the docket. About the same time, a similar charge was filed against Jane McCarroll, (alias Jane Holderby) which arose in the southwest portion of the County.

This prosecution was ended by the death of the unfortunate defendant before she came to trial, but too late, for the jury had already been summoned for the trial. One does not know whether she died from natural causes, or by her own hand, it is a matter of speculation as the record of the tragedy does not tell. Hannah Bishop, alias Long, was indicated for bigamy, and fled the county. His intimacy with Mrs. Isaac Matthews cost Johnston Gully five pounds.

Some of the grand jurors of this period were Robert Downey, Stephen Prather, Owen Franklin, Hobson Brown, Jacob Rogers, Jesse Saunders, Randall Smith, Howard Finley, Lewis Richards, Tolliver Timmons, Lemuel Hewlett, Joseph Alexander, John Combs, Edward Baldwin, Benjamin Reynolds, Isaiah Crabtree, Paulser Smelser, Samuel Short, John Stull, Richard Lee, Robert Newton, jr. Dabney Trice, Pitts Lynn, Gabriel Tilsworth, Samuel Hooker, William Lanceford, John Burkalo, Russell Gray, and John Compton. Petit Jurors: Alexander Nisbet, Charles Butler, James Silkwood, Tilden Taylor, John Shive, Henry Simmons, James Wright, Absalom Coffman, Bedick O'Bryan, James Finley, Bird Griffith, Richard Bailey, Samuel Bourland, Jonathan Ashby, William Clift, Samuel Thomasen, John Lucas, Slaton Bour-

land, Joseph Reed, Lewis Howell, and Prior Jones.

Daniel Fugate had succeeded Vincent Fugate, deceased, as Assistant Judge of the Circuit Court. In addition to Rezin Davidage, attorneys admitted in this period were Thomas Blake, Edmund Watkins, John McLean, Uel Wilson, Joshua Davis, John McIntire, Hohn Oldham, and Thomas Brown. All were residents of other counties. They attended Court in the formal dress of the time, knee breeches, stockings, buckled shoes or top boots, long coats, arrrying their papers in green bags or in their immense white beaver top hats. Their hats were chiefly of local manufacture made from fleted fur of rabbit or beaver, and one of them would weigh 5 pounds,

But our Court was not wholly engrossed with its criminal docket, and dealt with many civil mattees. Manywere suits of debt, eflection, and litigation concerning lands and land lines. Suits for damages for assault and battery were common--Alexander Ashby recovered \$2.50 from William R. McGary in such a suft, and in turn was sued by John Bone, whose case was dismissed for lack of a cost bond. George Griffith had a verdict for \$7.50 against John Davis on a like charge, and in like case against Jesse McGary for \$5.00, while John Wade sued John Lamb, the case being compromised by each paying half the cost of the litigation fee. In such a case brought by James Ruby against George Branson, a practice now out of date was followed, called "withdrawing a juror." The jury consisted of William Gordon, Daniel Threlkeld, Abner Martin, Linza Martin, Iaase Crabtree, Meshach Llewellyn, James Bisbet, Pleasant Cox, Brice Hanna, Benjamin Davis, Thomas Williams and Joseph Robertson.

The parties withdrew William Gordon as a juror, the other jurors then stood discharged, and by consent plaintiff had judgement for \$5.00. Alexander Mitchell in a suit against William McGary and Pierson Newson

enforced his lien upon "one grey covering horse, called the "Alderman" of the value of \$300.00 at trade rates." The commissioners, Sam Woodson, Baxter Townes, sold the animal for \$102.00.

Our first divorce case was that of James Littlepage vs. Mazey Littlepage, which came at hearing in the June term of 1815. More serious cases were those of Hugh Stevenson against William Barnister, where the authentication and admissibility of a South Carolina judgment came in question, Judge Brodnax's decision being affirmed by the Court of Appeals, as was also the case of Morgan vs. Morgan. There was a different result in the case of John Davis vs. Caleb Hall, where the Circuit Court reversed on the question of the measure of damages for a breach of warranty or covenant, whereby contract made in 1790. Davis had provided if Hall should be deceased, he would indemnify Hall by giving him an equal amount of land on "the waters of Hinksten" in Bourbon County where John Davis had entered in 1790. Judge Brodnax was affirmed in the fraudulent conveyance case of Davis vs. Davis. As an example of his manner and methods, and as of possible interest otherwise, Judge Brodnax's opinion is here copied.

16th June, 1812.

Davis, Richard, Complainant:

Harrison Davis, Pierson Newson, Polly his wife, Benjamin Davis, John Parker and Sally his wife, Robert Davis, William R. McGary and Betsy his wife, John Robertson and Patsy his wife, and Joseph Montgomery and Nancy his wife, James Davis and Nancy Davis, children and heirs at law of James Davis, Jr; deceased, Robert McGary, Hugh McGary, Nancy McGary, Harrison McGary, his children; all of whom are the heirs and legal representatives of James Davis, Sr; deceased. Defendants.

This day the Court delivered in the following written opinion and decree to wit: the facts of this case, are: In 1782, James Davis the

ancestor of the defendants, sold to Richard Davis, the Complainant, 500 acres of a fine piece of land at the price of 200 pounds Virginia currency and executed his bond to said Richard Davis for a conveyance- the Complainant sold sometime after, and in 1807, James Davis made him a deed with general warranty for the land, since which time the alliances under the Complainant have been evicted from the land, and the suit has been brought to recover of the heirs of James Davis compensation for the land so lost. It also appears that James Davis disposed of all real and personal estate to his children in his lifetime except personal estate to the amount of \$180.00. His heirs consequently do not take as legatees or distributors but as donees, or purchasers. Upon these facts two questions arise, first, whether the Complainant is entitled to recover and how much, second, whether the property transferred by James Davis to all or any of his children was made under such circumstances as are deemed fraudulent, and of course, void as against creditors. As to the question from the proof exhibited, in this case there can be no doubt about the Complainant's right to recover and in cases like the present wholly unmingled with fraud, we conceive the proper criterion of damages in the purchase, money and interest...where that can be ascertained, and if not, the value of the land at the time of the contract of sale made.

In order to understand and solve the second question it will be necessary to consider the second section of the Statute to prevent frauds and perjuries, which is as follows: Every gift, grant or conveyance of lands, tenements or hereditaments, goods or chattels, or any rent common or profit of the same, by writing or otherwise, and every bond, suit, judgment or execution had or made and contrived of malice, fraud, collusion or guile to the intent or purpose to delay, hinder, or defraud

creditors of their just and lawful actions, suits, debts, accounts, damages, penalties, or to defraud or deceive those who shall purchase the land, tenements, or hereditaments or rent, profit or commodity out of them shall be from thenceforth deemed and taken only against the person his, her, or their heirs, executors, administrators or assigns, and every one, of them whose debts, suits, demands, estates, and interest, by such guileful and covetous devices and practices aforesaid, shall or might be in any way disturbed, hindered, delayed or defrauded, to be clearly and utterly void, any pretence, color, or feigned consideration, expression of use or any other matter or thing to the contrary notwithstanding. According to this act, (which we conceive is only declaratory of the court on law) any such gift, grant, or conveyance of property made or contrived to delay or hinder any person from recovering his debt, damages, or forfeiture is fraudulent and void; but it nowhere declares a void a voluntary conveyance where it is not made with intent of delaying or hindering the recovery of debts.

Second: let us test the case of the various defendants by the principles extracted from the above action. It is thought unnecessary to discuss the nature and effect of the conveyance or transfer of property to the defendant Harrison Davis, Benjamin Davis, Robert Davis, and also Pierson Newson and wife since this suit, as to those defendants appears to have been compromised. As to the defendants, James Davis' heirs, William McGary, Robert McGary, Joseph Montgomery and their wives, the nature of the transfer to each of these defendants being nearly the same, the same principles govern them and therefore, may decide together and we are of opinion that the transfer to them was not fraudulent, and this opinion is not superinduced by any stated consideration which is pretended to be set up; for according to the principles of the common law as well as the principles of the act above cited, every transfer of

Every transfer of property even for a full and valuable consideration, contrived to delay or defraud, etc; is void. But, because this property was transferred long before the Complainants had, or even expected to have any claim or action against James Davis, Sr; and therefore could have not been made with intent, nor had James Davis any motive to delay the recovery of the demand, the existence of which he was ignorant of, besides he had in the year 1798m the time at which the last of these transactions took place, sufficient property remaining to have paid this debt. We shall in the next place consider the nature and validity of the transfers made to John Parker and wife, John Robertson and wife.

These took place in 1807, long after James Davis, Sr; had been informed of the suit pending against the alienees under Richard Davis, and just before the final event of the suit and when he was satisfied the land would be lost. The circumstance above is a strong evidence of a fraudulent intent, but the declaration of James Davis leaves no doubt of his intent, besides the transactions were secret, which is another head of fraud. Under these circumstances, which are highly convenient, the consideration which is attempted to be set up, ought to have been proved, but the effort which have been made to prove a consideration, only serves to show that the consideration set up was altogether colorable; we do not therefore hesitate to say, that the transfer of property to Mary and John Parker, to Patsy and John Robertson, was contrived and intended, and calculated to delay and hinder Richard Davis, the Complainant, from recovering his debt, and that the transfers are fraudulent and void, and of course they are liable. And it is adjudged; ordered and decreed, that the complainant recover of the defendants, Harrison Davis, Robert Davis, Benjamin Davis, Pierson Newson and wife, John Robertson and wife, and John Parker and wife, \$1670.83, the price

of purchase with interest given for the tracts of land in the bill mentioned, to be paid in the following manner to wit: Robert Davis to pay \$591.50, Benjamin Davis to pay \$183.96, John Robertson to pay with his wife, \$217.00, John Parker and wife to pay \$183.00, Harrison Davis to pay \$252.67, which he has agreed to pay, and Pier-son Newson and wife, \$241.54, which he has agreed to pay, and it is further adjudged, ordered and decreed, that the Complainant recover his costs in about the price and in his behalf expended, that this suit is dismissed as to the defendants, William McGary, Robert McGary, and his children, James Davis, Jr; and heirs, Joseph Montgomery and wife, and that the said defendants recover their costs in this suit in their behalf expended. And on the action of the defendant John Robertson, by his counsel, leave is given him to withdraw a deed from James Davis to Patsy Davis, and a patent which issued to James Davis 200 acres of land on Flat Creek filed in this cause.

Supervision and control of the slaves was provided by law. The County Court, as shown by its orders heretofore referred to, appointed patrollers in certain districts established by Court, and fixed the number of hours they should patrol therein. It was the duty of the patrollers to visit negro quarters and other suspected places of unlawful assemblies of slaves, and any slave found at such assembly or strolling about from one plantation to another without a pass from his or her master, mistress or overseer, should receive not exceeding ten lashes on his or her bare back if taken before a magistrate, not exceeding thirty-nine lashes on the bare back might be inflicted. No slave would be suffered to buy or sell any article of property whatever without a pass in writing specifying such property, upon the same penalty in lashes on the back. Four shillings for 12 hours of duty and exemption from Militia

William R. McGary, who succeeded David Wright as Sheriff, resigned and Richard Davis was appointed, he resigned, then came William Russell Weir, who only resigned in turn the office. Israel Davis succeeding him. They collected the county levey, which in 1810, amounted to \$302.00 assessed against the titeables at 50¢ tithe. The Sheriff got his commission on this and besides for ex-officio services, \$23.33. The County Clerk received \$15.00 per year, the Jailor, \$12.00 per year, but then in addition to this, Reverend Joshua Barnes who came after William R. McGary in succession, which Jailor was allowed \$5.00 for ironing out John Robertson", a prisoner held for horse stealing. Barnes' successor was William Noel. Justices of the Peace changed often after the first organization. The original Justices one by one resigned, and were succeeded in time by Eleanor Givens, William Gordon, Daniel McGary, James Edmiston, Isaac Whyte, Andrew Bell, William Cardwell, Holh Crownover, and Matthew Adams. Of the original county officers, John Gordon, County Surveyor, alone held office from 1807 until his death in 1824.

The psot of road surveyor was imposed on many citizens, the County being divided into many comparatively small road precincts, in which all the able bodied males were compelled when warned out by the road surveyor of the precinct, to turn out and work the road. The whole responsibility for the condition of the road rested on the surveyor. He was chargeble with severe penalties for neglect, and compelled to serve without compensation.

VACCINATION

Illustrating an old and mistaken policy of the law, vaccination instead of being compulsory as it is now, was not merely optional with the person desiring it, but could only be permitted after a license given by the Court.

duty was the stipend of the patroller. The memory of this system in a folk song all of which is now forgotten save its chorus: "Run, nigger run, or the patty-roller'll ketch you!

Horse and water mills for the grinding of corn soon took the place of the mortar and pestle, and the more primitive pounding of the grain on a hollow stump. Mention may be made of George Shelby's Mill on Tradewater, Thomas Helm's Mill, Clark's Mill on Pond River, Willis Morgan's Mill near the mouth of Isaac's Creek, Needhams' Mill near the present Millport, and Isham Browder's Mill and ferry on the same stream. In addition you will note there were Hahn's Mill on Drake Creek, Brock's, Lander's, Greathouse's, and Joun Lamb's Mill on Tradewater and its tributaries.

The corn was carried to the mill in sacks, on horseback, by the boy of the family, who waited his turn. The meal came out, it is said, "about as fast as a hound dog could eat it." The assembled youth waiting amused themselves as they could during the long wait. When the Miller took his pay or toll for the service, measured by his "toll dish", balanced the sack on the old mare and started the boy home. Another enterprise of early days was the making of gun-powder. There was according to tradition, such a mill at what is now the northwest corner of South Main and Jagoe streets, and another where the Hopkinsville road is intersected by the Free Henry Ford Road, opposite the Hezekiah Sisk old dwelling.

Local office holding was not then the popular profession it has since become. Quite to the contrary, it was an onerous distinction involving much travel, annoyance and loss of time, and imposed and assumed as a duty of citizenship. Contests however, occasionally occurred.

"On the petition of George Fugate and others a license is granted him to inoculate or have inoculated within 6 days from this day, his family with the small pox at his house in said county and also the families of Arthur Slaton, William Berry, Hugh Bratton, John and Lewis Robertson, Alexander Majors, and Horatio Pidcock, should one be necessary, and they apply for that purpose, paying a just regard to all and every one of the regulations and restrictions of the act of Assembly authorizing inoculation for the small pox."

This forward looking model thinking pioneer George Frgate died in 1830. His children were Martin, Lewis, Zachariah, Mrs. Arthur Slaton, Letty, wife of William Cleft, Mrs. William Berry and Polly Fugate. This license was granted to him under the law then in effect.

MILITIA (Continued)

No sergeant or other non-commissioned officer could be compelled to serve as such for a longer time than one year. Fines of from fifty dollars, maximum for a Major General, down to a maximum of three dollars for a private, could be assessed upon failure to attend a muster. "As the reputation of the service would be materially affected by a conformity to a regulation so essential in a military point of view, "it was enacted that general officers and their staffs should appear at musters in a uniform of blue, lapels of buff, gold epaulets and buff underclothes (breeches) boots, spurs, a round black hat, cockade plumes, and small swords or hangers.

Field and staff officers should wear coats of blue, lapels of red and silver epaulets, white waistcoats, blue pantaloons, boots, spurs, round black hats, cockade, plume and small swords or hangers. Other

officers, except surgeons, surgeon's mates, and chaplains should appear in coats of blue, with lapels of red, epaulets of silver and white underclothes (pantallons) round black hats, cockade plumes, and swords or hangers. All officers having hats or other uniforms under the provisions of former laws, were permitted to appear on duty, while such uniforms or hats should last. The uniform of a non-commissioned officer or private was not specified. A majority of the officers of each regiment might adopt the color of the regimental plume. The privates and non-commissioned officers wore no uniforms, but came in hunting shirts of homespun or buckskin, with hats or caps according to individual means or taste.

Such was the law of Kentucky in pioneer days. Every pioneer was supposed to possess his own equipment, with which he attended the stated musters upon notice duly received. These musters at first were held in various neighborhood centers of Henderson County convenient to the various units, and then after 1807, at Madisonville and later at other places. These compulsory musters were taken as a matter of course, and pioneers availed of them as welcome occasions for meeting and associating with old friends and acquaintances, and for acquiring new ones, ones for talk and discussion. Sometimes the families attended, bringing baskets of food with them to supplement the inevitable barbecue, or field cooking, whiskey was always plentiful and some, as always, drank to excess and were unrestrainedly hilarious or quarrelsome, according to their natures. Entertainment was afforded in the form of shooting matches, foot races, tasslin', catch-as-catch-can, and ham-spike contexts. The latter exercise was a form of wrestling in which a section of a stout sapling such as was used as a lever in rolling logs was employed. The contestants gripped the hand spike and each in turn by strength and skill sought to overcome his opponent by forcing him down, or compell-

ing him to touch the ground with his hands. Sometimes it was horse racing. Political oratory was another entertainment. Fisticuffs there were always, for the settlement of personal disputes--or when under the influence, some champion would declare he was the best man on the ground, invite all and sundry to lick him in single combat. These contests rarely had any serious consequences as their fair play, when not instinctive was usually enforced by the bystanders.

Social intercourse and public amusement and entertainment needful to the rough and isolated life of the pioneer was ~~the~~ principle feature of these assemblies. The military training was of small value as preparation for war. There were still living toward the middle age many who had served in the Revolutionary War and some of them were the leading citizens holding commissions as officers. Some had followed Mad Anthony Wayne or fought in Indian warfare. All were self-reliant, bold and daring patriots. Yet there was in the nature of things little discipline and training. Equipment there was none.

A British soldier, describing the backwoods riflemen said: "They were tall, dark, fierce, unkempt, rawboned and hard featured, long haired, clad in gowns of black or brown, who peeped along their guns before they fired." The "gowns" of course, were their hunting skirts of buckskin or homespun, worn as an outside garment, open at the front and so arranged as to lap about the body, secured by a belt. The "Dirty Shirts" was the name given to the pioneers by the English soldiery.

At New Orleans were Jacob Tucker and John Millholland in the 5th Regiment. Cornelius Bone served in Captain McLean's, and also in Captain Samuel Parker's Company. Samuel Bourland in Captain James Robinson's Company, 14th Regiment, Lieutenant William Alexander, Sergeants John

Stull, Enoch Metcalf, Jordan O'Bryan, Corporal George Hill, Privates John Bishop, Smauel Parker, Elijah Cobb, James Donald, Jeremiah Claxton, Thomas Gaunt, James Evan (substitute for Dnaiel Slaton) William Graham, John Gamblin, Thomas Hewlett, Lemuel Hewlett, Liner Hubbard, Nathan Fox, James Nixon, Noah Williams, Headley Wade, also Wilson Williams and John Wilson were Hopkins countians enlisted in Captain McLean's Company, and participated in the Battle of New Orleans. Lieutenant Alexander and Privated William Graham, Jeremiah Claxton, and Lequel Hewlett were wounded, Alexander, Graham and Claxton, dying of Rheit wounds. The full roster of Captain McLean's Company which may possibly include other Hopkins Countians is as follows:

Captain McLean

Lieutenant Alexander

Ensign Isaac Davis (deceased, February 3, 1815)

Sergeant John Stull

Sergeant Henry Russell

Sergeant Enoch Metcalf

Sergeant Jordan O'Bryan

Corporal James Langley

Corporal Moses Matthews

Corporal Edward Tarrant

Corporal Moses Matthews

Corporal Edward Tarrant

Corporal George Hill

Privates: Henry Apling, Lindsay Allen, Hohn Anderson, McLean

Allister, James Bishop, Samuel Barker, Cornelius Bone, Lett Bonds,

Thomas Browder, James Ca rter, John Craig, Jesse Coombs, Elijah Cobb,

Robert Craig, Isaac Crouch, (deceased, January 8, 1815) Jeremiah Claxton,

(died, Feb 10, 1815) Jeremiah Fowler, Matthew Gant, Thomas Gant, John

Gamblin, William Graham, Thomas Hewlett, John Hineu, Isaac Howard,

Leftridge Hensley, Lemuel Hewlett, Liner Hubbard, Edward Jains, George

← Fifer Abner C. Dillingham

Kern, George Kennedy, James Lett, Gasham Lynn, William Dewitt, James Donald, James Evans, Hohn Ferguson, Mason Foley, Nathan Fox, Henry McPherson, John Martin, Peter Mason, Spencer Henry, Thomas Norris, James Nixon, George Penrod, Michail Sever, Adam Rowe, Jacob Hipple, Michael Hipple, Bradford Rhodes, Thomas Summers, William Summers, John Gunn, George Sanders, John Voris, Elias Wilcox, Noah Williams, Headley Wade, Hohn Wilson, Wilson Williams and Lawrence Yaunce.

The 7th United States Infantry, and organization recruited in Kentucky with Kentucky officers, bore the brunt of the fighting before and on January 8, in New Orleans. Serving in Captain Vail's Company at this time were Privates Jacob Pugh, John Markis, and Matthew McCrabb, all of Hopkins County. Captain Vail was breveted Major, in recognition of his personal gallantry in this action.

Stephen Franklin was a private in Captain Sterrett's Company, Mitchusson's Regiment. Graves Gunn was a sergeant in Captain Robert Patterson's Company, Willoughby Ashby, Ensign in Captain Farmer's Company,

Roland Gooch was with Captain Jonah Owsley's Company, Benjamin Armstrong of the Tradewater section was in Captain Thurston's Company, Archibald Coleman of the White Plains country was in another company, Davis Nation of Hopkins, also served in this campaign.

The British forces engaged were over 12,000, of whom 5500 engaged in the main battle. The 7th Royal Fusileers and 43rd Monmouthshire Light Infantry being held in reserve did not participate in the attack. Their admitted casualties were 2070, one Lieutenant General, two Major Generals, eight Colonels, eight Lieutenant Colonels, six Majors, eighteen Captains, and fifty-four Subalterans. Colonel Dale, of the 93rd

Highlanders was killed at the head of his regiment, of the 925 gallant Scots who rushed to the attack, only 139 survived. The American army of 6000 consisted of 700 regulars, (7th U.S.(Kentuckians), Infantry,) some Sailors, a few Choctaws, a battlaion of negro freedmen, raw militia from Louisiana, Tennessee and Kentucky, and a few batteries of artillery. Behind the breastworks on the left bank were perhaps 4900 Americans.

Their casualties in the actual battle of January 8, were 8 killed, 13 wounded, in the previous operations the loss had been somewhat larger. Of the casualties of the 8th, Lieutenant Alexander and Privates Graham and Hewlett were among the wounded, also Claxton, The four Hopkins Countians of the 7th U.S. Infantry who lost their lives had taken part in the previous operations.

While Hopkins was giving of her manhood to the war, its thunders rolled far away, and little affected the mode of life and developments at home. The tide of immigration continued to flow in, bringing desirable citizenry chiefly from Virginia and North Carolina. These in the main were American born, very few were Europeans. They came to try their fortune in the west, from the none too prosperous rural sections of the coastal states, where they and their fathers had been able to do little more than wrest a bare living from the soil. Generally, they had spent a few years in the central counties of Kentucky or Tennessee, and still were looking for better lands on the frontier.

None of them were possessed of wealth, or of more than a very moderate share of this world's goods, and in this and other respects they did not differ from the earlier settlers as they were of the same stock, even in many cases related to families already settled in Hopkins.

Among those establishing homes in the County after 1810, were William Wood of Mercer County, Benjamin Johnson of Muhlenberg, Holloman, Moses Carter of Logan County, and David Herron, Thomas Givens, and Thomas Davis of Franklin County, and James Bailey of Mecklenberg County, and John Slaton, John Littlepage and Lewis Graddy of Virginia. Herron and Givens settled on Clear Creek, Slaton, Littlepage and Grady chose to settle in the Flat Creek country.

Tradewater attracted Noah Nichols, Jesse Woodson, of Powhatan County, Va; and Richard Woodson of Prince Edward County, Va; Alexander Furgerson, Andrew Razor, of Mercer County; James Ramsay, of Adair County, John McCormack, Joel Blue of Jefferson County, Unity Thomasson and Nathan Stanley of Madison County, Charles and George Wyatt, Lewis Stroud, Elkanah Grace of Christian County, were home builders on Lick Creek. Hoseph Armstrong of Ohio, James Adams and Wright Willis, came to make their home on Weir's Creek, and John Simons, Absalom Ford and Joseph White settled on Elk Creek. Isaac and William Metcalf, Jesse Duncan, Samuel Williams and David Block were new settlers on Drake's Creek.

Washington Dunkerson of Christian County, one of Kentucky's sharpshooters on the "Niagara" in the Battle of Lake Erie, was voted a medal by the General Assembly. During the battle, when the colors of the Niagara were torn away by the British gunfire, Dunkerson climbed the rigging and nailed the Stars and Stripes to the mast. He settled in Hopkins County and became well known as a Minister of the gospel. Bryan Oates of Muhlenberg County, a son of Jesse Oates, one of Francis Marion's "Swamp Foxes", settled just across U.S. 41 from the Brent Hart Residence, it is there that Jesse Oates is said to lie buried.

Madisonville gained John Earle, Alexander Mitchell, Dr. Benjamin Wickliffe, Azion Tarleton, Benjamin Stokes, William McClanahan and Thomas and Benjamin Davis who bought the store of Thomas and William Cardwell. Joseph Winlock, brother of Attorney Fielding Winlock of Shelby County, bought land near the present Tucker's School House off Poage's Creek. He sold part of this land to Jefferson Fulcher, probably of Goochland County, Va. Robert Downey and Edmund Slaton settled on Poage's, ~~Creek~~, Lawrence Brasher, Thomas Gilliland, and Joseph Jackson's sons settled on Buffalo. Edward Orton, an Irish immigrant, settled on Otter, John Herron settled on Silent Run, Joseph Hensley on Richland, John Parrish on Hunting Branch, John Miller of Madison County, Jacob Wolf, Hohn Phipps, James Tompkins, Beckley Jackson (1814, of Virginia) and John Cates chose the Deer Creek country.

All these new comers were not a gain in population, as there were some removals. Richard Lee went to Indiana Territory, Hanna McBee to Butler County, Silas McBee, Samuel Earle to Christian County, William Weir to Sumner County, Tennessee; Robert Block to Henderson County, David Ruby to Post St. Vincents, (Vincennes) William Asher, Samuel Asher, and John Foley went to Caldwell County, William Allen to Fayette, Joseph Trimble to Livingston, Joel Weir, James Wallace and John Dodge to Union.

Benjamin Wallace, a pioneer of Hopkins, became a man of prominence in Union County and a large number of his descendants are yet to be found in that County and Webster. His wife was the daughter of Colonel Samuel Bratten of Fishing Creek, S.C. Colonel Bratten was a Revolutionary hero. His daughter Jane, married pioneer James Nisbet.

In this period the number of slaves greatly increased and much

land was cleared and put in cultivation. Tobacco culture began in earnest, with corn, cotton, flax and wheat as an aid to the tobacco crop.

The most notable gain to Madisonville and the County in this period was the coming in 1813 of Baxter Townes and his brother, Alfred Townes. They were sons of Henry Hopkins Townes of King William County Va. and of Mary Davis his wife, a pioneer who came to Henderson County in 1807. Alfred Townes was born in Virginia, June 8, 1794. His parents were liberally educated, but Alfred attended school only three months. He absorbed the rest of his education from his parents, home study, reading, travel and observation. He learned the mystery of surveying from his father. Most of his youth was devoted to hunting, fishing, and wandering on the western waters.

Audubon was one of his intimates, and the portrait he painted of his friend Alfred as a young man in about 1817, is still preserved by the family. For half a century, Alfred Townes, by his peculiar genius, keen mind, sighted vision, indefatigable activity, restless ambition and public spirit, contributed in no small measure to mould the future development, progress and prosperity of Hopkins and Webster Counties. Unfortunately, his usefulness was impaired in a degree by his proud, impatient and hasty manner, which led many to regard him as uncrupulous, arrogant and over-bearing, but despite these faults, his force of character was such that while often defeated in his objectives, he led the way and laid a broad and deep foundation which enabled others to carry through many of his projects.

The post office was established in Madisonville June 18, 1813. In that year, the mail was first carried on the Ohio by steamboat. Baxter Townes was appointed the first Post Master. On April 21, 1813; he had bought from Caleb Hall and his wife Martha, lots 17 and 24 (the Hogeys Block) and established a store on the present site of the J.W.

Long Building fronting Main Street at Court Street in the log cabin then occupying that location. Court Street had not then been platted or opened.

Baxter Townes held the office of Postmaster until his death. He was found in a room of the Illinois Central Station in Madisonville. Suicide was suspected, he had just returned from a journey to New Orleans and was in bad health. He was survived by his widow and three little daughters. Alfred Townes succeeded his brother as Postmaster August 22, 1822; and held the office until he removed to Bellville, near Providence. He in turn was succeeded by James Weir Wilkins on July 22, 1831.

After the return of Alfred from his tour of duty in the army on October 24, 1815; the two brothers entered into articles forming a trading co-partnership under a trade name of D.B.&A. Townes. Thomas Davis and Samuel Earle witnessed the execution of this document, it recited the firm is to begin business with the stock of goods just brought on that fall by James Weir, of the value of \$4020.00. But for a slight interruption, the business continued until the death of the elder Townes, who by his will provided for its further continuance.

The Post Office which had been kept in the old Caleb Hall cabin was now moved to their new merchandising establishment. A large building took the name "The Hogeye" from a large and conspicuous knot in a plank in its western gable bearing a fancied likeness to a hog's Eye.

They caused Court Street and Union Street to be cut off of the public square and opened for traffic and Baxter Townes opened Union Street to the southward.

The firm bought and prized tobacco, hauling the product to Henderson and there shipping it by river to New Orleans for transmission to Europe. Long experience in tobacco handling led to the invention and development of the tobacco screw press for packing hogsheads, which many years later was patented. The advertisement of this device is inserted here is passing, as a memorial of the genius of pioneer Townes.

Louisville, Kentucky
June, 17, 1851.

We, the undersigned, having been called upon by Mr. Alfred Townes of Nebo, Hopkins County, Ky; to examine his Lever Screw that he has recently invented and secured the right to, which he has put up at Mr. Jabez Baldwin's City Foundry on Main Street, after having the machine put in full operation and several trials made of its efficiency in pressing, do give it as our opinion, that it is the best combination of power necessary for pressing cotton, tobacco, hemp hay, and in fact anything else that requires strong pressure. This machine does not occupy more than seven feet square, within which space the leverage is brought to bear on the article required to be pressed. From the simplicity of the combination and the cost of the machine, we have no hesitation in advising all those who need presses for the above uses, to examine it before they supply themselves otherwise. We further give it as our opinion that said Lever Press Screw can be used in the manufacture of chewing tobacco at a great saving of cost and labor to the operator, and we believe the inventor, Mr. Townes, is entitled to great credit for this wonderful invention of the age.

A.B. Burbank, Henderson, Ky; Robert Clark, Henderson, Ky; R.C. Ballard, Louisville, Ky; J. Anderson, Louisville, Ky; H. Campbell, Louisville, Ky; G.W. Anderson, Samuel Carson, Harve de Grace, France, Isaac Mayfield, Elkton, KY. Having witnessed the operation of Mr. Alfred Townes' Press, I have no hesitation in saying its possesses ample power for the pressing of cotton, hemp, hay and tobacco.

Edward Holbrook
Louisville, Ky.; June 18, 1851.

We, the undersigned, will state that we have read the foregoing statement of the gentleman in relation to Mr. Alfred Townes' Lever Screw. One of the articles operated upon by this screw press was a bale of hay prized in the Mormon press, which was considerably reduced in size, we were informed by Mr. G. McCallam, the owner of the right of the Mormon Press, that the pressure was equal to 300 tons, and we have no hesitation in saying that one man has, and can, compress the bales in much smaller space than they are by the Mormon press, and that we have the utmost confidence in the superiority of Mr. Towne's press, it having as much power as may be required to press hay, tobacco, or cotton with reasonable speed.

(Signed) W.H. Wise, G.H. Bader, George Young. Louisville, Ky.

The undersigned having completed the above described lever screw press, and secure the rights to the invention, will respectfully inform those who may need a screw press for any purpose, that they can be supplied at short notice by application to me at Nebo, Hopkins County, Ky; or to Mr. George Anderson, commission merchant, 37 Third Street, Louisville, Ky; who can give the necessary directions how to have the press put up to be worked, by any power that may be desired. The machine as constructed, can be attached to the shaft of the pinion

of the present cotton press by means of coupling, at a very inconsiderable expense, and by placing the drum of the gin upon the shaft of my lever screw, there may be attained any amount of speed required with only about one-half of the power required to pick cotton. I have made the necessary arrangements with Mr. Baldwin, Proprietor of the City Foundry, to have all the machinery made and put up in complete workmanlike manner, of size and strength to answer all the various uses to which a press may be applied. The press complete will be furnished at from \$225.00, according to the weight of castings, etc; that may be required.

The shafts of the press are made of wrought iron. There will be no difficulty attending the erection of the press, a common carpenter can do it, for all the wheels are put upon turned shafts and made fast by means of grooves and wedges, so that it will be impossible to put it together wrong. It will require about one hundred lineal feet of timber for the frame, which is so constructed as to have but one mortice and tenon, the timbers being framed by means of a box and half dove-tail. The press upon completed stands upon three perpendicular posts, forming a right angled triangle. A press has been erected at or near Mr. Baldwin's Foundry, where it may be seen in operation and be critically examined. I would respectfully solicit anyone interested to call and see it, especially if they desire of purchasing a press, which combines simplicity with power greater than has heretofore been presented to the public in any other press. Alfred Townes.

He remained always fond of hunting and fishing. One of the last bears killed in Madisonville was shot by Alfred Townes in the old tanyard back of the Madisonville Hotel lot. Many of our elders remember this personality. James B. Ligon recalls that as a boy, Alfred Townes

visited his father's home often in prospecting and surveying for minerals and railroad locations, and that on such occasions little Jim caught crickets for old Colonel Townes to use for bait when fishing in Clear Creek, angle worms not being acceptable for that purpose to this experienced veteran fisherman.

The first election of Trustees of the town of Madisonville was held in May, 1815. Baxter Townes, Thomas Davis, William McGary, William Wilson and William Noel were elected. William Russell Weir represented Hopkins and Union counties in the lower house of the General Assembly.

Andrew Hew, living near the present site of Elkton, our Representative in Congress, was defeated by Alney McLean. The sheriffs of the several counties in the district met at Hopkins Court House in Madisonville on August 15, 1814, and compared the returns and made their certificate as follows: "Be it known to all whom these presents shall come that we, Henry Ashby, Deputy Sheriff of Hopkins County and Joseph Delaney, Deputy Sheriff of Union County, by an election held at the Court Houses and at the precinct in Hopkins County on the first, second and third days of August in the year of 1814, by the electors of our said counties, caused to be chosen William R. Weir for our said County, namely to represent the same in the General Assembly. Given under our hands and seals this day, August 15, 1814.

Signed: Henry Ashby, Deputy Sheriff of Thomas Adams, Sheriff
Joseph Delaney, Deputy Sheriff for Joseph Delaney, Sheriff

To the Secretary of State, in the name of the State of Kentucky.

To all who shall be present, Greetings. Know ye that we, Isaac Cofield, D. Sheriff of Livingston County, William Birdsong, Sheriff of Caldwell Jeremiah Cravens, D. Sheriff of Christian, Samuel Allen, Sheriff of Breckinridge, Benjamin Gilbert, Sheriff of Ohio, John Cunningham, D..

Sheriff of Grayson, David Stephens, D. Sheriff of Muhlenberg, Elijah Keng, Sheriff of Henderson, Daniel Ashby, D. Sheriff of Hopkins, Joseph Delaney, Sheriff of Union, composing one entire district entitled by law to elect a member of the House of Representatives of the United States, do hereby certify and make known that at an election held on the 1st, 2nd, and 3rd days of the present inst, at the Courthouse and precincts of our respective Counties pursuant to the law, the electors qualified to vote for members to the House of Representatives of the United States, caused to be chosen Alney McLean, Esquire; to represent this State as a member of the House of Representatives of the United States as aforesaid: Given under our hands and seals this 15th day of August, 1814.

Signed:

Isaac Cofeld, W. Birdsong, J. Cravens, Sam Allen,
Benjamin Gilbert, John Cunningham, D.H. Stephens,
Elijah King, Daniel Ashby, Joseph Delaney.

McLean carried every county in the district except Livingston and Christian, he got all the votes in Muhlenberg except two. The candidates were not the nominees of conventions or of separate parties but in so far as they might be differentiated by their principles, McLean would represent the combination of the remaining Federalists and other conservatives, followers of Henry Clay. Hew was ultra Jeffersonian.

Alney McLean, a North Carolina pioneer who settled in Muhlenberg about 1805 and began the practice of law, was one of the founders of the National Republican Party in opposition to General Jackson. He was a vigorous and able advocate, politician and soldier, and commanded influence in this section throughout his life. His portrait hangs in the Court House in Greenville and his face shows a manly beauty. Among his descendants was the late William H. Yost, a grandson.

Eighteen years had now elapsed since the coming of the white man, and eight years since the local government had been set up in the direction of easier or more gracious living. Transportation and communication had improved but slightly with the beginning of steam navigation on the Ohio, and the opening of more and worse trails through the woods. The river was open to market, but the products for export were small, and brought in but little money and this was spent for but few things, for slaves, sugar, tea, coffee, gunpowder, and the few necessities not produced from the soil and forest.

Barter was the rule in local dealings. Agricultural implements and furniture were made, these were often crude and rough. Tables and chairs, or stools, were generally split sections of logs with legs set in augur holes. Floors, if any, were of rough puncheons. Window glass was rare, and conveniences there were none. Few homes had candlesticks, tables, chairs, plates, tableware, cups and saucers, this is shown by inventories of estates of record in the County Court in 1813-16.

Edward Berry, who owned two horses, a colt, six animals of the cow kind, six hogs and eight sheep, left a table, no chairs, knives or forks. It is shown to list a pair of scissors, one spur or a pair, a smoothing iron, two piggins, two kellers, a butter pot and a churn. John Groves who owned seven horses and twenty-two cattle and a wagon, four beds, a blanket and sheet, a side saddle worth \$17.50, a rifle and shot gun, left six chairs, one arm chair, a table, six plates, one earthen dish, one pewter dish, but no cups and saucers. Neither did George Ashby, who owned nine cattle, two horses, a negro woman worth \$466.34, three bedsteads, a cupboard, table and six chairs. Their requirements were

were few and simple, what was not easily obtainable was not missed.

Clothing as a rule, was of home manufacture, the hunting shirt of deer skin or homespun with belt tied behind, galligaskins, fur caps, large felt hats manufactured by local hatters, the sheath knife, tomahawk, shot pouch horn, these were what the well dressed pioneer wore. On state occasions a few had old finery, velvet coats, stockings and buckled shoes of eastern make.

Of the women, not many could afford like the Benjamin Knox heiress from Georgia, residing in the Bellville section, to buy straw bonnets at \$6.00, calico at 75¢ a yard, coating at \$3.50 a yard, combric at \$1.50 a yard, buttons at 50¢ a dozen, fine thread at 50¢ an ounce, stockings at \$2.00, hair combs at \$1.50 for a set of three, linen at \$1.47 a yard, silk slips at \$1.25, Morocco slippers at \$2.75 a pair, gloves at \$1.75 a pair, for as a rule they dressed in linsey woadsey, spun and woven by themselves, knitted their own stockings, made their own enormous sunbonnets, and laundered them elaborately, and wore heavy leather shoes of local make.

Bathing, except in swimming time was not practiced, and the atmosphere of a cabin of one room, occupied in the winter as a sitting room, bed room, dining room and kitchen, by five or six persons, would have been prostrating to any but those long used to it. The women were industrious, tireless in home manufacture and house keeping, and unequalled in their culinary accomplishments at the hearths of the open fires, food was plentiful, easily and bountifully obtained by those who worked in producing food, few there were who grew no crops. The merchant, official, mechanic, all of them farmed, and hunted, and there was no person or class who depended upon wages for his sustenance.

The story of the period has been read from the official records, with little elaboration, few flights of imagination, and small aid from tradition, its lessons seem plain. The community differed from those of Tennessee, and of adjoining counties in the sources of its immigration, in its homogeneous character, in having less imported wealth, in being more remote from the traveled ways. Primitive as it was, it was still advanced in social organization and life as compared with Indiana and farther west.

Its people had no marked participation in the larger activities of state government, their remoteness and inaccessibility precluded that. The functions of government were assumed and discharged by the people of the "Blue Grass" of old Kentucky, as they styled it, of Fayette, and a half dozen neighboring counties, and it is the names of their Governors, Senators, Soldiers and Statesmen that are written large upon the pages of the history books, a mere accident of position.

Given equal opportunity and proximity to the seat of government the native ability of the mute inglorious statesman of our backwoods country would have shown equal, if not greater lustre. For them Frankfort was another world to which they might send their representatives and at the very end of a toilsome journey he would find all policies and measures already fixed and agree upon, might resist belated acquiescence or protest, bear back to his people a decision in which he bore but a negligible part.

Without the tradition and habit of government from the very first, so has the county ever remained. No cause for regret is there, in that citizens have had but little part in the blunders, injustices and crime perpetrated in the name of government, nor should we repine for lack of recognition or share in the Commonwealth's progress or transitory glories.

A new election precinct had been established by the General Assembly with the following boundary: Beginning where the road led from the town of Henderson and passing the residence of Simon Sugg to Christian Courthouse, crossing the line dividing Henderson and Hopkins, thence with said roads to the house of Joseph Davis, thence with the road leading towards Eddyville as far as Tradewater river, and down the same to the line of Union County, with it to the line of Henderson County, and with that line to the beginning, shall the qualified voters within the said bounds, meet at the house of Major William Steward for the purpose of voting in all their legal elections.

Our first law against carrying concealed arms, provided that any person in this Commonwealth, who wore or carried a pocket pistol, dirk, large knife or sword in a can, concealed as a weapon, be fined the sum of \$100.00. This law was passed February 3, 1813. No prosecution under this act is recorded.

The personnel of the Justices composing the County Court was continually changing during this period. Thomas Adams and Isham Browder were longer in office than any other. Among those brought in by change and filling vacancies, were Eleazar Givens, James Edmiston, Thomas Davis, Alexander Ashby, George Ashby, Andrew Bell, William McGary, Herbert Browder, James Baker, Wright Willis, Eli Bishop and Charles Bradley.

Israel Davis, son of Joseph Davis, succeeded to the office of Sheriff, but military zeal took this young man to the Battle of the Thames as Ensign in Captain William McGary's Company, and his health was so shattered by the hardships and exposure, he died soon after his return and Square Thomas Adams succeeded him as Sheriff, with Henry Ashby, Daniel Ashby, and Daniel Ashby, Jr. as deputies. William Noel, shoemaker and tavern

keeper, still held office as Jailor, the Constables were Charles Bradley, Abner Cater, John Robertson, Bird Griffith, James Baker, John Leeper, William Jenkins, John Cunningham, Meizar Brown. J. Hardin was the County Attorney, he was succeeded by Samuel Casey, and he by Edmund Watkins.

The Patrollers were James Martin, Benjamin Davis, Sr. Robert Sisk, later Sisk was Captain and assisted by James Martin, William Morton, and Gabriel Bourland. Still later the County was divided into four districts, the town of Madisonville being one district captained by James Baker, assisted by William McClenahan and Alfred Townes. Of the southern district, Samuel Downey was captain, assisted by Howard Finney, William Jones and Linza Martin. The northeastern district was captained by James Howell, assisted by William Berry, Paran Cardwell, Benjamin Stokes, and the northwestern district had Daniel Ashby for captain and Samuel Guller, John Harvey and Samuel Leeper were his assistants.

The old folk song is recalled:

Nigger best the white man playing seven-up,
Nigger grabbed the money 'n' wouldn't give it up,
Run, nigger, run, the pattyrol' ketch yo'.
That nigger run, that nigger flew,
That nigger tore his shirt in two,
Run, nigger, run, the pattyrol' ketch yo'.

Many roads had been opened, the office of road surveyors had been imposed upon Elias Smith, James Crabtree, John Cates and others below.

Robert Adams, William Clift, Daniel Black, Benjamin Berry, George Wright, Stephen Prather, Isaac Coffman, Daniel Slaton, George Clark, Sam Almond, Robert Davis, Isaac Taylor, Herbert Browder, John Wilson, Horatio Pickcock, Samuel Compton, Samuel Thomasson, David Greathouse, Lawrence Stull, William Bradley, Jacob Wolf, Van S. Teagus, Isaiah

Crabtree, Nathaniel Ashby, John Holderby, Benjamin Davis, Jr. Edward Cole, Samuel Bell, Samuel Short, Samuel Downey and E.H. Earle, Peter H. Matthews was surveyor for the streets of Madisonville. The County's expenses were modest, the budget and levy for 1812 amounted to \$350.00, revenues were modest, there was assessed against 700 titheables at 50¢

each, while in 1813, it was only \$258.00 assessed against 774 titheables at 33-1-3 cents each. Nathaniel Hardin was Commossioner of the tax.

The tavern keepers were still William Noel and William McGary, each year the tavern rates were fixed by the court, but with little change from prior schedule. Below is listed a few rates in force in 1813.

Wine, $\frac{1}{2}$ pint	25¢
Rum, $\frac{1}{2}$ pint	25¢
French Brandy, $\frac{1}{2}$ pint	25¢
Whiskey, $\frac{1}{2}$ pint,	12 $\frac{1}{2}$ cents

For lodging per night 8 $\frac{1}{2}$ cents

For breakfast or supper without tea or coffee, 25¢

For dinner, 25¢

For a horse at hay 12 hours, 25¢

For pasturage 24 hours, 12 $\frac{1}{2}$ ¢

For corn or oats per gallon, 12 $\frac{1}{2}$ ¢

Benjamin Davis was licensed to keep an ordinary and tavern at his residence on the old Hopkinsville road.

James Bailey, Michael Martin, William Baldwin, Lawrence Stull, William Brady and Thomas Sloan, being aged and infirm were exempted from levy tax.

Jesse Woodson's inspection for tobacco, flour and hemp, was established on his land on Tradewater, between Asel Weir's strochouse and the county line, with Richard Bailey, Samuel Compton, and Johnson Gully as inspectors.

The jail house which was not occupied by a dozen prisoners in as many years. was several times repaired. Prison rules were established

as follows: The court proceeded to lay off the prison rules in lince with the rules heretofore established: Beginning at a peach tree marked B, standing at the N. E. Corner of William McGary's lot and running south 40 poles to a stake S. E. corner of Daniel McGary's lot, thence west 40 poles to the S. W. corner to the Benjamin Wickliffe's lots to a stake, thence north 40 poles to a stake N. W. and thence east 40 poles to the beginning, which prison rules were ordered to be made of record. This meant that---

Every prisoner not committed for treason or felony, giving good security to keep within said rules, should have liberty to walk there, he could go in and out of the prison for the preservation of his health, and by keeping continually within said bounds, should be judged by law as a true prisoner.

Other matters occupying the attention of the court were probate matters, guardianships, administrators, appointments and settlements. One case of felony, dealt with by the court, under the presidency of Squire William Gordon, arose from the African superstition of voodoo, which on occasion prostrated imaginative and susceptible individuals to the endangering of their life and health.

Jacob, a slave of Abednego Llewellyn, by the exercise of occult power, had put the influence upon Dicie, a slave of Samuel Guyler, so that her master made complaint that Jacob had "by means of secret and deadly poison, caused his slave to be suddenly attacked in a dangerous and death like manner, and from every appearance would have died, less for the interposition of speedy medical aid." Edmund Watkins, the Attorney for the Commonwealth, made information that Jacob had "with

intent that death might ensue, administered certain poisonous medicine to a certain negro woman slave, the property of Samuel Guyler, the slave named, Dicie," Jacob being in custody and presented at the bar of the Court, for his plea said: He is in no wise guilty of the charge." Whereupon, according to the procedure of the time, came a jury as follows: Sam Short, William Lovan, Alexander Ashb , Daniel Fox, Jr; John Muphey, Amos Willis, Robert Sisk, Redick O'Bryan, Alexander Major, John Jovan, Meredith Sisk, and David Gavanah.

The Jury having heard the evidence, returned a verdict of "not guilty," Jacob was discharged from custody. Whether he was sold down the river for his mischief making after the complaint of neighbor Guyler, the record does not show, but that was probably his fate.

Mechanical industries and trades were not then concentrated in the villiage, but practiced by those proficient therein at their farms. Thus worked the cabinet makers, Garton Maupin, Edward Dobyns, and George Lee. The blacksmith, Alexander Griffith on Lick Creek, Jacob Wolf on Deer Creek and James and Matthew Adams and John Littlepage, the cooper. There was James Tuberville, shoemaker, John and Thomas Clark, gunsmiths, Benjamin, son of Elizabeth Timmons, was bound as an apprentice to James Gore, Sadler, Gore was a Tradewater man and Benjamin was bound to him to learn his "mystery and trade.". John, base born son of said Elizabeth, was bound as an apprentice to James Howell, the hatter, in the Pond River Country. Alexander Rhea, wheelwright, living on Sugar Creek, took John Deyser as an apprentice.

Between the years of 1810 and 1815 death took the following pioneers, Daniel Menser, John Berry, Samuel Guyler, Jane Guyler, John Leeper, James Kerr, Richard, Davis, Gilbert Christian, James Fox,

Joseph Graham, James Adams, Stephen Timmons, William Derdenn, Joseph Jackson, Chermes Crowley, George Lee, John Groves, John O'Quin, Jacob Pugh, William Alexander, Jeremiah Claxton, John Wade, John Hargis, Matthew McGrabb, William Graham, Joseph Henderson, Benjamin Shumate, Israel Davis, Isaac Dial, Joseph Donald and Thomas Browder. Some of these were war casualties, and their names have been listed elsewhere in this history.

Of course most of these left children or descendants who remained in the country. Daniel Wensler left a son, Jones, and the children of his daughters, Mrs. James French and Thomas McCarryl, Jilson Howell's orphans were William, Vincent, Mason, Elizabeth and Polly. Samuel Gaylor left his daughters, Sally Whitesides, Nancy Leeper, and Elizabeth Gaylor, two sons, William and Samuel Jr. John Leeper's children were Rachel, Samuel and James. Abednego Llewellyn was his stepson.

Squire Richard Davis was survived by Dr. Thomas Chiles Davis, William Davis, Elizabeth, wife of Thomas Morton, Susannah, wife of Edward Hampton, Earle, and Nancy, wife of Dixon Givens. Gilbert Christian was the father of Patsy, Lucy and Parmelia. James Fox was survived by his daughter Elizabeth, and his sons, Titus and Allen. Stephen Timmons left his grandchildren, Sinnet Laffoon, Hannah Branson, Mark Laffoon, Cinthia Laffoon and his daughters, Mrs. Peter Ashby, Mrs. Willis Sisk, Tabitha and Dosha, his son, John Timmons. Joseph Jackson left his children, Isaiah, John Christopher, Nathan and Editha. Thomas Browder was survived by two young children, John and Thomas, Jr.

Benjamin Shumate's children were Nimrod, James, Anne, George, and Thomas. Benjamin Clark and his sister Polly, were the children of

John Clark. James Adams left his estate to his children, Caty Bone, Polly Davis, Jinny Adams, Thomas, Andrew, Wilson, Matthew, Robert, and his grandsons, James and Timor, sons of Alexander. Charles Crowley's orphans were Charles, Levi, Ellender, James and Patsy.

The Circuit Court, presided over by Judge Brodnax, met regularly in its stated sessions in March, June and September, the months when the roads permitted access to Madisonville. Judge Brodnax, wealthy old bachelor, and gentleman of the old Virginia school, dressed in the style of his youth, "In white cassimere, short breeches, silver knee buckles, very fine white cotton stockings, long white ribbed dimity coat, powdered hair tied behind. He was dignified, even pompous, but brave and learned, and dispensed courageously fair and even, if somewhat summary justice. A firm believer in the sound principles of government and of the Constitution, he was at first a Federalist, upon the party's extinction, became, and to his death, remained a Whig, he strongly opposed the democracy of General Jackson. He was resident of Lebanon. The first Judge of a very large district, appointed when the Circuit Court was first established, for life or during good behavior. He served for twenty odd year, regardless of political changes, and always with credit and distinction.

In his long service at the bar and on the bench, he had observed the degrading and disgusting vice of drunkenness which in his time prevailed in all walks of life, with all its unhappy consequences to the drinker, his family and the community. He knew that strong drink made beasts of men, destroying soul, mind and body, kept them poor, their families in distress, their children to be reared in ignorance, and endangered the commonweal. Impressed with this observation and knowledge

he failed not by example, precept, and punishment, to do what what he could to suppress the evil. No drunken man was ever suffered to get out of the Court without the payment of a penalty or going to jail. The Judge's patience was sorely tried on occasion, and with him, that quality at the best was threadbare.

An amusing tale is told of how judge Brodnax in his old age sought the consolations of religion at a camp meeting a few miles southeast of Russellville. On the call for mourners, he came forward and knelt in the straw and began to pray. Soon, a youth under conviction, threw himself down by the Judge and embraced him and began to exhort. This was too much, the Judge trying to shove the boy off, asked. Have you got religion?" "Yes, Thank God, I know I have." Thus the boy answered. "Then just get away from me, and let me get it too." with this remark the judge freed himself from the boy's embrace.

An Elder came now and knelt to instruct the penitent. The Judge recognized him and demanded to know if he yet carried on a distillery. On the admission of the Elder that such was the case, the Judge sprang up, saying that "no manufacturer of the damnable stuff, ruining thousands in body and soul, could instruct him in the matter of his soul's welfare." A woman to the left of the Judge, becoming more and more demonstrative, caused the Judge to leave, saying then, she could not get religion in such a state of confusion."

Next, he called two Elders, his friends, and retired to the limits of the grove. Kneeling, he engaged in prayer. In his supplications, one, an ardent Democrat, prayed for the political success of Andrew Jackson as embodying the salvation of the Nation, and then invoked the

spiritual power on behalf of this poor old repentant sinner, that he might redeem himself from the error of his ways, and added, "And, Oh Lord, convert him now and take him from this sinful, distracting world to heaven." Said the Judge, "Amen, do my good Lord, and that quickly, before General Jackson is crowned King of the United States."

We have shown how the Judge was presented and fined in the Henderson Circuit Court for profane swearing, along with his Commonwealth Attorney. Once again in this period, during the June term of 1813, while off the bench, some comment of an inevriate provoked his honor beyond the limits of his patience and drew from him an imprecation. Straightway, "The Grand Jury for the County of Hopkins, by Thomas Helm, foreman, and upon the testimony of Barnabas Sisk, presented, "Henry Brodnax, the presiding Judge of the Hopkins Court, for profanely swearing." The Judge retiring from the bench with a "by consent," was thereupon fined five shillings by the assistant Judges, Daniel McGarry and Thomas Prather.

Among these guilty of like fault and were presented for profane swearing and paid the penalty at different terms (1810-1815) were: Joseph Saffron, John Holderby, John Flint, Samuel Ball, John Newman, Epps Littlepage, Robert Adams, William Miller, Amos Willis, Collins and William Herrin, Hiram Kirk, Jesse Washoe, (three cases) Scarlet Nixon, William, McConnon, Isaac Williams, Isaac Rust, Morton Maulding, William Phipps, Isaac Conner, Andrew Baker, Richard Flail, William Allen, Isaac Coffman, (six cases) John Gordon, Benjamin Cook, James Brooks, the last three, in two cases each.